

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21905 of 2021
Date of Decision : 20.09.2021

Jaswinder Singh

..Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.18 dated 05.03.2021 under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Ahmedgarh, District Sangrur.

On 02.06.2021, a Coordinate Bench of this Court had passed the following order:-

“This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.18 dated 05.03.2021 under Sections 21/29 of NDPS Act, registered at Police Station Sadar Ahmedgarh, District Sangrur.

Counsel submits that as per prosecution version an alleged recovery of 4 grms of heroin was effected from co-accused Jaspreet Singh @ Jassu (non-applicant). Petitioner is sought to be implicated on the

strength of the disclosure statement of a co-accused. Even otherwise the alleged recovery would be construed as small quantity.

Counsel further informs the Court that even though the petitioner stands involved in three other FIRs under the NDPS Act but he is on bail in each of them.

Notice of motion returnable for 20.09.2021..

Mr. H.S. Sullar, learned DAG Punjab, accepts notice on behalf of the respondent and waives service.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Narinder Kumar, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and is no more required for interrogation, at this stage.

In view of the above, the order dated 02.06.2021 passed by a Coordinate Bench of this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is

not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 20, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No