

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203 (2)

CRM-M-22188-2021
Date of Decision : 22.11.2021

Budh Singh

...Petitioner

Versus

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kamaldip Singh Sidhu, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral

Petitioner is seeking anticipatory bail in FIR No.215 dated 11.07.2020 registered under Sections 15 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Division Patran, District Patiala.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of order passed by a Coordinate Bench of this Court on 23.09.2021. Order dated 23.09.2021 is as under:-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 215 dated 11.7.2020 registered under Sections 15, 29

of NDPS Act at Police Station Patran, Patiala.

As per allegations in FIR, on receipt of secret information, house of Jagga Singh situated in PUDA Colony, Patran was raided. 10 quintals 40 kg. Poppy husk were recovered. Jagga Singh was arrested. The name of petitioner is alleged to have surfaced in the disclosure statement of Jagga Singh who stated that he was also involved with him in purchase of poppy husk.

Learned counsel for petitioner states that petitioner has no concern or connection with said Jagga Singh. There is only a case under NDPS Act registered against petitioner. However, recovery in that case is of non commercial quantity.

Notice of motion.

Mr. Rana Harjasdeep Singh, DAG Punjab accepts notice on behalf of State.

Adjourned to 22.11.2021.

In the meanwhile, in the event of arrest of petitioner, he shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. He will join investigation as and when called for and cooperate in same. He will abide by conditions of Section 438 (2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Balwinder Kumar, states that in terms of the order passed by a Coordinate Bench of this Court reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, order dated 23.09.2021 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.

November 22, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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