

206

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22379-2021 (O&M)
Date of Decision: 11.11.2021

Sony Singh @ Jaspal Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Monty Goyal, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.0142 dated 07.10.2020 under Sections 15, 25, 29, 61 and 85 NDPS Act, registered at Police Station Sadar Barnala, Punjab. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 07.06.2021 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged recovery of contraband i.e. 120 kg poppy husk was made from the co-accused Kulwinder Singh and Gurpreet Singh, who were arrest on the spot. It is pointed out that on the basis of their disclosure statement co-accused Jagdev Singh was implicated in the FIR and on his statement the petitioner has been nominated as an accused. According to him, the petitioner is not involved in any other case of

similar nature, therefore, his custodial interrogation may not be necessary.

Notice of motion for 11.11.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C ”

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Kamaldeep Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 07.06.2021 is made absolute.

11.11.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No