

CRM-M-22605-2021

Date of Decision:26.08.2021

Harwinder Singh

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

On June 17, 2021, the following order had been recorded:-

“Learned State Counsel, on instructions from the quarter concerned, has apprised the Court that neither any recovery of alleged contraband was effected from the petitioner; nor he is facing any other criminal case. Also stated that recovery of 1 Kg. of Opium was effected from co-accused, namely, Harwinder Singh son of Baldev Singh, who has already been granted the concession of regular bail by learned Special Judge, Amritsar, vide order dated 31.05.2021 (P-3).

Posted for further consideration on 26.08.2021.

In the meanwhile, petitioner will join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Today, learned counsel for the State submits that the petitioner has joined investigation but with him further submitting that he having run away from the spot he does not deserve to be admitted to bail.

Having considered the matter, with admittedly the quantity of opium recovered from the co-accused of the petitioner (as per the contention of the investigating agency), being well below commercial quantity and the petitioner in any case not having been apprehended at the spot, the petition is allowed with the order dated June 17, 2021, made absolute, on the same terms and conditions.

Upon query learned State counsel submits that, as per his instructions, there is no other criminal case registered against the petitioner.

August 26, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO