

209A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.22940 of 2021

Date of Decision:13.07.2021

BHAJAN SINGH @ SURJEET SINGHPetitioner

Vs

STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Parvesh Sachdeva, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.41 dated 21.02.2021 registered under Sections 15-61-85 of NDPS Act, 1985 at Police Station Sadar Fazilka, District Fazilka.

On 11.06.2021 following order was passed:-

“(Through Video Conferencing)

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 41 dated 21.2.2021, registered under Section 15 of NDPS Act at Police Station Sadar Fazilka, District Fazilka.

As per allegations in FIR, a secret information was received that petitioner, Mohinder Singh and Paramjeet Singh alias Pamma

were engaged in illegal sale of poppy husk. On the basis of secret information, raid was conducted and 60 kilograms of poppy husk were recovered from the possession of Mohinder Singh.

Learned counsel for petitioner has argued that the recovery has already been effected from Mohinder Singh. The other co accused namely Paramjeet Singh alias Pamma has been granted interim anticipatory bail, vide order dated 9.4.2021 passed in CRM-M-14192-2021.

Notice of motion.

Mr. R.S. Khaira, AAG Punjab accepts notice on behalf of respondent State.

To come up alongwith CRM-M-14192-2021 on 13.7.2021.

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.

(HARINDER SINGH SIDHU)

JUDGE

11.6.2021

sjks”

Learned counsel for the petitioner submits that petitioner has been arrayed on the basis of secret information and the recovery of 60 kg of puppy husk has been effected from Mohinder Singh. The name of the petitioner along with other two non-applicants was disclosed by secret informer. The petitioner along with non-applicants succeeded in fleeing from the spot.

Learned counsel for the petitioner submitted that in compliance of the order dated 11.06.2021, the petitioner has joined the investigation to the entire satisfaction of the

Investigating Officer.

Learned State counsel on instructions from ASI Balkar Singh admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 11.06.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

13.07.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No