

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23284-2021 (O&M)

Date of Decision:- 11.11.2021

Ashvani Kumar

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mandeep Kumar Dhot, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by ASI Ranjit Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 10, dated 21.1.2021, Police Station City Bhawanigarh, District Sangrur, under Section 22 of NDPS Act (Section 29 of NDPS Act added later on).
2. At the time of issuance of notice of motion the following order was passed on 8.7.2021:

“Learned counsel for the petitioner contends that pursuant to receipt of a secret information 4 persons namely Gagandeep, Parmod, Satish and Ashok were nabbed by the police while they were transporting 24000 tablets of ‘Tramadol’.

It has been submitted that the petitioner was neither named in the FIR nor was ever apprehended at the spot but has been nominated subsequently on the basis of some disclosure statement allegedly made by the co-accused named in the FIR to the effect that it is the petitioner who had sold the aforesaid contraband to the 4 accused.

Notice of motion for 11.11.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. The learned State counsel, upon instructions from ASI Ranjit Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required. It has further been informed that the petitioner is not wanted in any other case.
4. In view of the aforestated position wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 8.7.2021 are hereby made

absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

11.11.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No