

CRM-M-23896-2021

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-23896-2021.
Date of Decision:-21.09.2021.

Sukhbir Singh @ Sukha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aminder Singh, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 Cr.P.C. for grant of pre-arrest bail in FIR No.78 dated 05.05.2021 under Sections 21 and 29 of the NDPS Act, 1985, registered at Police Station Bhawanigarh, District Sangrur.

On 23.07.2021, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Reply filed on behalf of the respondent-State be taken on record.

Learned counsel for the petitioner states that there are no allegations that the contraband recovered from the Sahil Sharma by the police, had been supplied to him by the present

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petitioner and furthermore, the petitioner does not have any past criminal record; he has been booked for the offence under Section 29 of NDPS Act, but ingredients of this offence are not fulfilled. The petitioner is willing and ready to join the investigation.

Learned State counsel on instructions from ASI Kewal Kumar has stated that he be directed to do so.

Accordingly, the petitioner is directed to join investigation by contacting the Investigating Officer within 7 days from today and render all sort of cooperation. The petitioner has to surrender his Passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. The next date of hearing is fixed as 21.09.2021. If, in the meanwhile, he is arrested, he be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Kartar, has submitted that the petitioner has joined the investigation and is not required for further investigation.

This Court has heard the learned counsel for the parties.

Keeping in view the above facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is not required

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for further investigation, the present petition is allowed and interim order dated 23.07.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the Trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

September 21, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No