

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

CRM No. M-20945 of 2020

Date of Decision : 17.11.2021

Baljeet Singh @ Kaka

....Petitioner

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. I.P.S. Kohli, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 126 dated 18.06.2020, registered under Section 21 (Section 29 added later on) of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dharamkot, District Moga.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 29.07.2020. Order dated 29.07.2020 is as under:-

“Learned counsel for the petitioner contends that the petitioner has been enroped on the basis of the disclosure statement made by the main accused from whom recovery only to the extent of 100 grams of heroin was effected, which is stated to be less than the non-commercial quantity. It is further stated that there is no evidence against him except the disclosure statement.

Learned State counsel accordingly, prays for time to place on record the evidence collected against the petitioner

either in the form of telephone conversation or any recovery in pursuance to the warrant of search etc., if any.

Since, as on date, the respondent-State has not been able to pointed out any other evidence except the disclosure statement, the arrest of the petitioner is stayed till the next date of hearing.

Adjourned to 8.9.2020.”

Learned State counsel, who has joined the proceedings of this Court through video conferencing, on instructions from SI Major Singh states that in terms of the order passed by the co-ordinate bench of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

In view of the above, the order dated 29.07.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 17, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No