

CRM-M No.26519 of 2021
Date of Decision : 22.07.2021

Faisal Khan

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Imran Farooqi, Advocate for the petitioner.
Mr. Hittan Nehra, Addl. A.G., Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.65 dated 19.05.2021 registered under Sections 22/21/29/61/85, NDPS Act, 1985 at Police Station City Dhuri, District Sangrur.

3. On 12.07.2021, the following order was passed:-

“ Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned counsel for the petitioner contends that the petitioner has been implicated in the instant case under Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, on the statement of co-accused from whom on his arrest, recovery of 275 grams of Chitta (intoxicant powder) was made and who made a disclosure statement implicating the petitioner and that apart from the disclosure statement there is no other material to connect the petitioner with the commission of the offence besides the petitioner has clean antecedents and is ready and willing to join investigation and fully co-operate with the police.

Notice of motion.

Mr. Sukhbeer Singh, Assistant Advocate General, Punjab, on instructions from ASI Harjinder Singh confirms the factual position as noted above, however, requests for time to file reply.

Adjourned to 22.07.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail/surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

4. Today, learned counsel for the petitioner contends that pursuant to the order of this Court dated 12.07.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. Learned State Counsel confirms that pursuant to the order of this Court dated 12.07.2021, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and that his custodial interrogation is not required.

6. In view of the statement of learned State Counsel, order dated 12.07.2021, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

7. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

22.07.2021

‘Amit’