

CRM-M No.27196 of 2021
Date of Decision : 05.08.2021

Twinkle

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Deshpreet Singh, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, 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.48 dated 02.04.2021, registered under Sections 22(b) and 29 of the NDPS Act, 1985 (added later on vide Rapat No.34, dated 10.06.2021) at Police Station Sadar Kotkapura, District Faridkot.
3. On 15.07.2021, the following order was passed:-

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

Learned counsel contends that the petitioner has been implicated in the instant case solely on the basis of arrest of co-accused on 02.04.2021, from whom, recovery of 980 tablets of Ultradal-100 SR was made and who made a disclosure statement on 10.06.2021, implicating the petitioner by stating that he had purchased the contraband from the petitioner. Learned counsel contends that apart from the disclosure statement there is no other material to connect the petitioner with the commission of offence, besides the petitioner has a clean record and is ready and willing to join investigation and fully cooperate in the same.

Notice of motion.

Mr. Hittan Nehra, learned Addl. AG, Punjab, accepts notice on behalf of the respondent and on instructions from, ASI, Sukhwinder Singh, confirms that apart from the disclosure statement there is no other material to connect the petitioner with the commission of the offence and further that the petitioner does not have any other case registered against him. He, however, requests for an adjournment to file reply.

Adjourned to 05.08.2021.

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 also abide by the conditions contained in 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 while learned State Counsel on instructions from *SI Satpal Singh*, confirms that pursuant to the order of this Court dated 15.07.2021, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and his custodial interrogation is not required.

5. In view of the statement of learned State Counsel, order dated 15.07.2021, passed by this Court, is made absolute. The petitioner shall continue to abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be deemed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

05.08.2021

'Amit'