

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

201

CRM-M-28828-2021
Date of decision : 17.11.2021

Sukhjinder Singh

Petitioner

V/S

State of Punjab

Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Impinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. K.S. Aulakh, Deputy Advocate General, Punjab
for the respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.85 dated 20.05.2021 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Vairoke, District Fazilka.

The operative part of the order dated 26.07.2021, vide which the petitioner has been granted interim bail, is reproduced below:-

“Counsel for the petitioner has contended that the petitioner has been named by Sukhwinder Singh @ Bittu from whom recovery of 359 tablets of Radol-100 was effected. He submits that the disclosure statement made by co-accused in police custody is inadmissible in evidence. Counsel submits that the petitioner, who has unblemished antecedents, is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Sandeep Singh Deol, DAG, Punjab accepts notice on behalf of respondent-State. List on 17.11.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 26.07.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned State counsel, on instructions from ASI Surender Pal Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is disposed of and the interim bail granted to the petitioner, vide order dated 26.07.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

17.11.2021

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**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No