

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209)

CRM-M-24611 of 2020

Date of Decision: 21.01.2021

Dharminder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Kamal Narula, Advocate, for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, filed under the provisions of Section 438 of the Cr.P.C., the petitioner seeks the concession of 'anticipatory bail, upon FIR no.97, dated 03.03.2020, having been registered at Police Station City Ferozepur, alleging therein the commission of offences punishable under Sections 21/22/29 of the NDPS Act.

On October 01, 2020, the following order had been passed:

“The reply filed on behalf of the State has been perused. According to the reply, the main accused Vishal @ Manna named the petitioner in his disclosure statement as being the person from whom the recovered contraband was obtained. There is no other evidence against the petitioner. Thus, I deem it appropriate to permit the petitioner to join the investigation.

The petitioner is directed to join investigation with the Investigating Officer on 14.10.2020 at 10.00 a.m. and cooperate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his

compliance of the conditions enshrined under Section 438(2) Cr.P.C.

Adjourned to 20.01.2021. ”

Today, learned State counsel, on instructions, submits that the petitioner in this petition has joined investigation and presently at least his custodial interrogation is not required.

That being so, without making any comment on the actual merits of the case, whatsoever, since the investigating agency itself does not require the custodial interrogation of the petitioner, this petition has in fact been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 7 days notice before arrest, duly shown to be served upon him.

21.01.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No