

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-31182 of 2021
Date of Decision: 13.09.2021

Possi Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Mr. Sidakmeet Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 05.08.2021 the following order had been passed by this court:-

“Case heard by way of 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.56, dated 09.07.2021, having been registered at Police Station Bhadaur, District Bathinda, alleging therein the commission of offences punishable under Sections 21 and 22 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been arraigned as an accused in the FIR only on the basis of an alleged secret information received and upon an alleged disclosure statement made in police custody, with nothing having been recovered from the petitioner, and with there being no other criminal case pending against him.

Notice of motion, with Mr. Sidakmeet Singh Sandhu, learned AAG, Punjab, accepting notice on behalf of the respondent State, on the asking of the Court.

He submits that as regards any other criminal antecedents of the petitioners, he needs specific instructions.

That being so, since the arraignment of the petitioner as an accused “is a question mark presently”, the petitioner is directed to join investigation within a week and upon his doing so, in case he is sought to be arrested, he would be admitted to interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaqa Magistrate. He shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Illaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.

Adjourned to 13.09.2021.”

Pursuant thereto, learned State counsel submits, on instructions, that the petitioner has joined investigation.

That being so, without making any comment on the actual merits of the case for the reasons already stated in the aforesaid order, the petition is allowed, with the order dated 05.08.2021 made absolute on the same terms and conditions.

September 13, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No