

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26838-2020 (O&M)
Date of Decision:- 14.1.2021

Bahadur Singh

Versus

... Petitioner

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S.Thind, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Harwinder Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.38, dated 23.3.2020, Police Station Sadar Samana, District Patiala, under Section 15 of NDPS Act.
2. At the time of issuance of notice of motion on 9.9.2020, the following order was passed :-

“The learned counsel for the petitioner submits that the prosecution alleges that 7 Kilograms of 'green poppy plants' were recovered from the fields of petitioner, whereas there is no such evidence to the effect that the fields in question were owned by the petitioner. It has further been submitted that the petitioner, in any case, was never apprehended at the spot.

Notice of motion for 14.1.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel upon instructions from ASI Harwinder Singh has informed that pursuant to interim directions, the petitioner has joined investigation and he is not required for any custodial interrogation.
4. In view of the aforestated position, the petition is accepted and the interim directions issued vide order dated 9.9.2020 are hereby made absolute subject to the condition that the petitioner shall appear and join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

January 14, 2021
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No