

[207] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32405-2021

Date of Decision : 14.10.2021

Sunny ...Petitioner

Versus

State of PunjabRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Vishva Bahl, Advocate for the petitioner.
Mr. Karanbir Singh, AAG, Punjab.

B.S. Walia, J. (Oral)

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

2. On 12.08.2021, the following order was passed:-

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

Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.0080 dated 14.04.2021 registered under Section 22, Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station PS Cantonment, District Amritsar.

Learned counsel contends that 113 intoxicant tablets were recovered from co-accused Jaideep Singh on his arrest on 14.04.2021 and he made a disclosure statement implicating the petitioner in the commission of the offence and that apart from the aforementioned disclosure statement, there is no other material to connect the petitioner with the commission of the offence, besides the petitioner is not involved in any other case under the NDPS Act and is ready and willing to join the investigation and fully cooperate in the same.

Notice of motion.

Mr. Sukhbeer, Singh, AAG, Punjab accepts notice and while seeking time to file reply and argue the case, on instructions from ASI Satnam Singh confirms that apart from the disclosure statement, there is no other material to connect the petitioner with the commission of offence nor there is any other case registered against the petitioner under the NDPS Act.

Adjourned to 20.09.2021.

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 till the next date, subject to his furnishing bail / surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated. ”

3. Today, learned counsel contends while learned State counsel on instructions from *ASI Charanjit Singh* confirms that pursuant to the order of this Court dated 12.08.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre-arrest bail and that his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 12.08.2021, passed by this Court, is made absolute. The petitioner(s) shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

5. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

14.10.2021