

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(235)

CRM-M-34855-2020

Date of Decision : October 28, 2021

Jagsir Singh @ Pala

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajdeep Singh Gill, Advocate, for
Mr. P.S. Sekhon, Advocate, for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.149 dated 10.10.2020 registered under Sections 22-B and 29 of the NDPS Act, 1985 at Police Station Jakhal, District Fatehabad.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by the Coordinate Bench of this Court dated 06.11.2020. Order dated 06.11.2020 is as under:-

“Case has been taken up for hearing through Video Conferencing.

This petition under Section 438 Cr.P.C. has been moved for grant of pre-arrest bail to petitioner in case FIR No.149 dated 10.10.2020 under Sections 22(b) and 29 of NDPS Act, registered at Police Station Jakhal, District Fatehabad.

Learned counsel for petitioner inter alia contends that petitioner has been falsely implicated in the instant case. He

further urges that petitioner was not even named in the FIR and he has been cropped in as accused simply on the basis of disclosure statement rendered by co-accused Soni. He further urges that alleged recovery of contraband of non-commercial quantity has already been effected at the instance of co-accused Soni and, as such, nothing incriminating is to be recovered at the instance of petitioner. He further urges that though petitioner has no nexus whatsoever with the alleged offence, even then he is ready to join investigation as and when called upon to do so by Investigating Agency.

Adjourned to 18.12.2020.

Meanwhile, in the eventuality of arrest of petitioner in the instant case FIR, he shall be enlarged on interim bail subject to his furnishing personal/surety bond to the satisfaction of Arresting Officer/Investigating Officer. Petitioner shall join investigation as and when called upon to do so by Investigating Agency. Petitioner shall abide by conditions as laid down in Section 438(2) Cr.P.C. in letter and spirit. ”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from Inspector Bijender Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 06.11.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when

called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

October 28, 2021

harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No