

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-36141-2020

Date of Decision: 24.03.2021

Sandeep

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

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

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.377 dated 19.08.2020 at Police Station City Barnala, District Barnala, under Sections 22 & 25 of the NDPS Act.
2. Vide order dated 05.11.2020, the following order was passed while issuing notice of motion:

“Petitioner Sandeep stated to be aged 20 years has filed the present petition *inter alia* with a prayer for grant of anticipatory bail in case FIR No.377 dated 19.08.2020 under Sections 22/25 of the NDPS Act, registered at PS City Barnala.

Learned counsel for the petitioner submits that as has been noticed in the order dated 22.10.2020 passed by the Special Court, Barnala, four persons were named as accused including Jagdish Rai. He further submits that Jagdish Rai is uncle (*chacha*) of the petitioner. He submits that the petitioner has no connection with the alleged offence except

that in papers for the ownership of truck which was being driven by the uncle he is stated to be owner.

Learned State counsel submits that the petitioner was owner of the truck which was being driven by the co-accused and from whom objectionable substance was recovered. Therefore, the petitioner is not entitled to the concession of anticipatory bail.

Counsel for the petitioner submits that the petitioner is ready to join the investigation and due to COVID situation, his retention behind the bars would be dangerous to his life. Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioner to join the investigation and appear before the Investigating Officer.

List on 24.03.2021.

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3. Today, learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation. It has further been informed that the petitioner is not wanted in any other case.
4. In view of the aforestated position, the petition is accepted and the interim directions issued by this Court vide order dated 05.11.2020 are hereby made absolute subject to the condition that the petitioner shall join 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.

24.03.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**