

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM-M-36133-2020

DATE OF DECISION: 25.10.2021

LAKHWINDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Tarun Sharma, Advocate for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.112 dated 06.07.2020, under Section 21 of the NDPS Act and Section 25 of the Arms Act, 1959, registered at Police Station Mamdot, District Ferozepur.

This court on 20.08.2021, had passed the following order:-

“Case taken up through video conferencing.

On 05.11.2020, a Coordinate Bench of this Court had passed the following order:-

“Case is taken up for hearing through Video Conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.112 dated 06.07.2020 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 25 of the Arms Act, 1959, at Police Station Mamdot, District Ferozepur.

Learned counsel for the petitioner states that the alleged recovery was effected from the area near Post No.194/2, Chowki D.T. Mall. The said area is under the control of Border Security Force (BSF) and the same being beyond the fencing wire, only the persons possessing the passes can visit the said area. It is further submitted that neither the petitioner owns the said land nor he had ever visited the same.

Notice of motion for 11.12.2020.

Learned State counsel seeks time to file the status report on or before the next date of hearing.”

Status report by way of affidavit of DSP (SD), Ferozepur, has been filed wherein it has been mentioned that neither the petitioner nor his father owns any land beyond fencing and no identity card has been issued to them for crossing the fence for agricultural purpose.

List on 16.09.2021

In the meantime, petitioner is directed to appear before the Investigating Officer and join investigation.

In the event of his arrest, the Investigating Officer/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions from ASI Davinder Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 20.08.2021 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

25.10.2021

SwarnjitS

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