

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.36313 of 2020
Date of Decision: February 08, 2021

Kanwardeep Singh Mann

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Narinder S. Lucky, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.425 dated 10.10.2020, under Section 18 N.D.P.S.Act, 1985, registered at Police Station, City Barnala, District Barnala. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 11.11.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner had delivered cloths for his father, who was confined in prison in case FIR No.4 dated 24.08.2020, under Sections 420, 406 and 120-B IPC, Police Station NRI, Ludhiana, wherein allegedly 7.10 grams of opium was found wrapped in the belt. Learned counsel contends that the cloths were given to one

Gurmail Singh, who further delivered the same in the prison and at that stage, the alleged contraband was recovered.

Notice of motion for 08.02.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C .”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Balwinder Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 11.11.2020 is made absolute.

February 08, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No