

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.38163 of 2020
Date of Decision: February 12, 2021

Baljeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. MANOJ BAJAJ

Present: Mr. Vikas Bishnoi Godara, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

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.306 dated 04.11.2020, under Sections 22(c) and 27-A N.D.P.S.Act, 1985, registered at Police Station Sadar Ratia, District Fatehabad. The petitioner apprehend his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 19.11.2020, 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 alleged contraband was recovered from accused-Kulwant Singh who was arrested on the spot and subsequently, on his disclosure statement the petitioner was indicted as an accused. He further submits that the petitioner is not involved in any other case of similar nature, therefore, the custodial interrogation of the petitioner in the given facts may not be necessary.

Notice of motion for 12.02.2021.

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, who is assisted by EASI Darshan Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel 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 19.11.2020 is made absolute.

February 12, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No