

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-3236 of 2021 and  
CRM-M-40256 of 2020 (O&M)  
Date of decision:12.2.2021

Jakharadin @ Khan

... Petitioners

versus

State of Punjab

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Hitesh Verma, Advocate,  
for the petitioner  
Mr.S.S.Deol, DAG, Punjab  
...

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conferencing.

CRM-3236 of 2021

Vide this application, the applicant-petitioner seeks to place on record an order passed by the learned JMIC, Mansa, dated 1.2.2021, as also the petitioners' affidavit pursuant to the order of this court on 21.1.2021.

Notice in the application.

Mr.S.S.Deol, learned DAG, Punjab, accepts notice at the asking of the court and submits that in fact the petitioner has joined investigation now.

The application is consequently allowed and the aforesaid documents are ordered to be taken on record alongwith the accompanying petition.

CRM-M-40256 of 2020

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.13, dated 21.1.2020, having been registered

at Police Station Bhikhi, District Mansa, alleging therein the commission of offences punishable under Section 22/29 of the NDPS Act, 1985.

Upon query to learned counsel for the petitioner as to why the petitioner, if he had not been joined by the police in the investigation pursuant to the order of this court passed earlier, he did not go to the learned Ilaqa Magistrate to ensure that the police joined him in such investigation, he submits that actually the police had already joined him in investigation on 9.12.2020 and therefore there was no occasion for him to go to the learned Ilaqa Magistrate; but with the police having denied before this court that he had joined investigation, he then had to go to the Ilaqa Magistrate after 21.1.2021.

Learned State counsel, on instructions from ASI Ganga Ram, submits that the petitioner in this petition has joined investigation and presently at least his custodial interrogation is not required.

That being so, without making any comment on the actual merits of the case, whatsoever, since the investigating agency itself does not require the custodial interrogation of the petitioner, this petition has in fact been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 10 days notice before arrest, duly shown to be served upon him.

12.2.2021

pk

Whether speaking/reasoned

Whether Reportable

**( AMOL RATTAN SINGH )**  
**JUDGE**

Yes/No

Yes/No