

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-44379 of 2020
Date of Decision : 15.09.2021

Sukhwinder Singh

..Petitioner

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.265 dated 08.12.2020 registered under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Adampur, District Jalandhar.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of the following order dated 19.01.2021 passed by a Coordinate Bench of this Court:-

“CRM-1376-2021

Heard.

The application is allowed. Let Section 29 of the NDPS be added in the head note as well as in the body of the petition.

The application stands disposed of.

CRM-M-44379-2020

Learned counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the instant FIR. In fact, neither he was apprehended on the spot nor any recovery has been effected from him. It is argued that the petitioner has been implicated merely on the statement given by a co-accused. It is further argued that there is no other case pending against the petitioner under the provisions of the NDPS Act.

Notice of motion.

Ms. Rashmi Attri, AAG, Punjab, who is present through the medium of Video Conferencing, accepts notice on behalf of respondent State and seeks time to file reply.

Adjourned to 27.5.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Surinder Pal Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and is not required for further interrogation, at this stage.

In view of the above, the order dated 19.01.2021 passed by a

Coordinate Bench of this Court 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.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not cooperating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 15, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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