

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

CRM-M-203-2021

DATE OF DECISION: 31.08.2021

RAJ KUMAR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Dhivya Jerath, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.156 dated 15.12.2020 under Section 22 and Section 29 (added later on) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short- 'NDPS Act') registered at Police Station Mehtiana, District Hoshiarpur.

A coordinate Bench of this court on 15.01.2021, had passed the following order:-

CRM-1016-2021:

This is an application for preponement of the main case from 28.01.2021 to an early date.

For the reasons stated in the application, the application is allowed.

With the consent of the learned counsel for the parties, the main case is taken on board today.

CRM-M No.203 of 2021:

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.156 dated 15.12.2020 under Section 22 and Section 29 (added later on) of the Narcotic Drugs and Psychotropic Substances Act, 1985

(NDPS Act) registered at Police Station Mehtiana, District Hoshiarpur.

Learned counsel for the petitioner would contend that the petitioner was neither named in the FIR nor apprehended at the spot, but was nominated only on the disclosure statement of the co-accused, who was apprehended with 28 grams of intoxicating powder. It is further contended that there is one more case pending against the petitioner under the NDPS Act wherein also he has been granted the concession of anticipatory bail.

Notice of motion.

On the asking of the Court, Mr. Ramandeep Sandhu, Senior Deputy Advocate General, Punjab has joined the session through video conferencing and accepts notice on behalf of the sole respondent-State.

Learned State counsel, on instructions from ASI-Jaskaran Singh, has stated that there is one more case pending against the petitioner under the NDPS Act.

List on 18.03.2021.

Meanwhile, the petitioner is directed to join investigation before the Investigating Officer and would come present as and when called for. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

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

In view of the above and the petitioner having joined investigation, the order dated 15.01.2021 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

31.08.2021.

SwarnjitS

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