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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-48881-2019

Date of decision-08.09.2021

SURJIT SINGH**...Petitioner****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, 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.0180 dated 28.07.2019, under Sections 21 & 29 (added later on) Narcotic Drugs and Psychotropic Substances Act, 1985, under Section 25 Arms Act, 1959, registered at Police Station Tanda, District Hoshiarpur. 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 18.11.2019, whereby, while issuing notice of motion to 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 the possession of the accused Paramjit Singh and his brother Sukhvir Singh @ Sukhi. He submits that upon

their disclosure statements, Parveen kumar @ Peena and four others were indicted in this case on the ground that the said contraband was purchased from them. It is pointed out that the petitioner is sought to be arrested on the ground that he is Surjit Singh @ Parveen Kumar @ Peena, whereas it is not correct.

Notice of motion for 01.04.2020.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the 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 SI Gurwinder Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 18.11.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

08.09.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No