

In the High Court of Punjab and Haryana at Chandigarh

203

CRM-M-50301-2019 (O & M)
Date of Decision: August 31, 2021

KULWINDER SINGH @ KALI @
KULWANT SINGH @ DARJI **....PETITIONER**

VERSUS

STATE OF PUNJAB **....RESPONDENT**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Mandeep Kaur, 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.60 dated 31.08.2019, under Sections 22/29/61 of the NDPS Act and Section 201 IPC, registered at Police Station Talwandi Chaudrian, District Kapurthala.

Learned counsel for the petitioner contends that the alleged recovery of 45 grams of intoxicant powder was effected from co-accused Gurwinder Singh @ Guri, who is the son of the petitioner. The petitioner has been arraigned as an accused on the statement of Gurwinder Singh. Besides, the statement of co-accused, there is no prima facie material which would connect the petitioner with the commission of the offence.

A Coordinate Bench of this Court, by the order dated 27.11.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject

to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Bikar Singh, states that although the petitioner has joined investigation but he is also involved in several other cases.

In view of the above especially when the petitioner has been arraigned as an accused on the statement of co-accused and the petitioner having joined investigation, the order dated 27.11.2019 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

August 31, 2021
A.Kaundal

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