

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

204

CRM-M-55103-2019 (O & M)

Date of Decision:02.07.2021

NITIN RIHAN @ NUTUN RIHAN

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ashok Giri, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

CRM-5171-2020

Application is allowed. Amended petition is taken on record.

Main Case

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.121 dated 26.06.2019, registered under Section 21 (Section 25/29 were added later on) NDPS Act, 1985 and Section 482 IPC, at Police Station Shahkot, District Jalandhar Rural.

On 04.02.2020, this Court had passed the following order:-

“Learned counsel for the petitioner submitted that the name of the petitioner has not been named in the FIR. Co-accused, namely, Jaswinder Singh @ Jassa, who was pillion rider and also owner of the motorcycle from which the contraband was recovered, has already been granted anticipatory bail by this Court vide order dated 19.11.2019 (Annexure P1).

Learned State counsel, on instructions from ASI Rehsam Singh, has submitted that the name of the petitioner came up during interrogation of his brother Ashu Rehan and cousin Arvind Rehan and on the basis of their statement, the petitioner was nominated as an accused.

List on 17.04.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Harbhajan Lal, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 04.02.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

02.07.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No