

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

CRM-M-1510-2022

Date of decision : 17.05.2022

Shamsher Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S.Manaise, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.76 dated 19.08.2018 under Section 21 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Ghuman, Police District Batala, District Gurdaspur, who apprehends his arrest at the hands of Police.

On 13.01.2022, this Court had passed the following order:-

“Learned counsel has argued that the alleged contraband (275 grams and 25 grams of heroin) was recovered from co-accused Bashir Ahmad Meer and Rawiz Ahmad Khoja, respectively and they both were arrested on the spot. According to him, on the basis of the disclosure statement made by the co-accused, the petitioner was falsely implicated. He submits that the alleged recovery was made in the year 2018 and till date, neither the petitioner was arrested nor he has been declared as proclaimed offender.

Notice of motion for 17.05.2022.

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 her 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 counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Balwinder Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.01.2022 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.05.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No