

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

207

CRM-M-1718-2022

Date of decision: 21.04.2022

CHAMKAUR SINGH BRAR

.....PETITIONER

Versus

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Gagandeep Singh Gill, Advocate
for Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner, in case, FIR No. 219 dated 25.12.2021 registered under Sections 22 and 29 of the NDPS Act at Police Station Sangat, District Bathinda.

While issuing notice of motion on 14.01.2022, this court, granted interim anticipatory bail to the petitioner with direction to join the investigation. Relevant part of order dated 14.01.2022 reads as under :-

“The only allegation against the petitioner is that he had given Rs.8,600/- to the main accused from whom the alleged recovery of intoxicant vials and tablets was effected.

Notice of motion for 25.03.2022.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1. That he shall make himself available for interrogation by a police officer as and when required;
2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
3. That he shall not leave India without prior permission of the Court.....”

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has, while reiterating submissions made on 14.01.2022, submitted that the petitioner has joined the investigation and he may be granted anticipatory bail as his custodial interrogation is not required in the case.

Learned State Counsel has, on instructions from A.S.I. Som Parkash, acknowledged that in compliance with order dated 14.01.2022 passed by this Court, the petitioner has joined the investigation and that his custodial interrogation in the present case is not required.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserve grant of anticipatory bail.

Therefore, the petition is allowed and order dated 14.01.2022 granting interim bail to the petitioner is made absolute.

21.04.2022
kavneet singh

(SANT PARKASH)
JUDGE

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