

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

(Sr. No. 211)

**CRM-M No.3789 of 2021
Date of decision : 19.01.2022**

Malkait Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. M. K. Dhot, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.178 Dated 03.12.2020 registered under Sections 22 and 29 (added later on) of the Narcotic Drugs Psychotropic Substances Act, 1985, at Police Station Longowal, district Sangrur.

On 28.01.2021, this Court had passed the following order : -

“[1]. *Ld. Counsel for the petitioner submits inter alia that no recovery was actually effected from the petitioner and that his name has only transpired from the disclosure statements of the accused Gurbinder Singh @ Mintu and Tarsem Singh @ Shambhu, from whom the recovery was actually effected. Submits further that there is no other case against the petitioner.*

[2]. *Notice of motion.*

[3]. *Mr. B.S. Sewak, Additional Advocate General, Punjab to accept notice on behalf of the*

respondent/State. Let a copy of the Paperbook be supplied to him.

[4]. List on 03.05.2021.

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

(i). That he shall make himself available for interrogation by a Police Officer as and when required;

(ii). 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;

(iii). That he shall not leave India without prior permission of the Court.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 28.01.2021 granting ad interim anticipatory bail to the petitioner is made absolute.

19.01.2022

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No