

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5118-2022 (O & M)
Date of decision: 28.02.2022

Harwinder Singh Petitioner
V/s
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Barjinder Singh, Advocate, for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

Petitioner seeks the grant of anticipatory bail under Section 438 Cr.P.C. in a case bearing FIR No.010 dated 11.01.2022 under Sections 15 of the NDPS Act registered with Police Station Amargarh, Malerkotla.

On 08.02.2022, following order was passed by this Court:-

“The prayer is for the grant of anticipatory bail to the petitioner in case FIR No.010 dated 11.01.2022 for offences punishable under Sections 15 of NDPS Act, 1985 registered with Police Station Amargarh, Malerkotla.

The allegations in the FIR are that during the course of checking of suspected persons, one Verna Car was stopped and the driver tried to run away from the spot. On being arrested he disclosed his name as Lachman Singh @ Lacha and a search of his car revealed that he was in possession of 80Kg of Poppy Husk and Rs.25,000/- in cash. During the course of investigation, he said to have disclosed the name of the petitioner. Beyond this, there is no other evidence available against the present petitioner.

Notice of motion for 28.02.2022.

In the meanwhile, in the event of his arrest, petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, he shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC.”

However, learned State counsel on instructions from SI Janak Raj, submits that the petitioner has joined investigation in terms of orders dated 08.02.2022 and is not required for custodial interrogation.

In this view of the matter, interim order dated 08.02.2022 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

February 28, 2021
sukhpreet

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