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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7625-2021 (O&M)
Date of Decision:05.05.2022

Riaz Ansari

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Dhruv Dayal, Sr. DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.159 dated 05.10.2020 registered under Sections 20/25 NDPS Act, 1985 at Police Station Khanna City-2, District Ludhiana, who apprehends his arrest at the hands of Police.

On 27.08.2021, this Court had passed the following order:

“The case has been taken up for hearing through video conferencing.

Notice of motion was issued on 18.02.2021 and the arrest of the petitioner was stayed. Petitioner was nominated on the basis of the disclosure statements of the driver of the vehicle in question and co-occupant of the vehicle.

48 Kg. of Ganja was allegedly recovered from the car. In view of the facts and circumstances of the case, it would be just and appropriate to direct the petitioner to appear before the SHO/Investigating Officer to join investigation on 02.09.2021 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion in the merits of the case. The case shall be

*decided on the merits on the adjourned date.
Adjourned to 09.11.2021.”*

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 Sukhdev 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 27.08.2021 is made absolute.

05.05.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No