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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28322-2021 (O&M)
Date of Decision: 06.01.2022

Lovepreet Bajaj @ Sachin Bajaj

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.47 dated 01.04.2021 under Section 21(b) NDPS, 1985, registered at Police Station Sadar Kotkapura, District Faridkot. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.07.2021 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged contraband (100 grams heroin) was recovered from co-accused Gurpreet Singh @ Soni and Satnam Singh @ Satta and subsequently, on the disclosure statement of co-accused Gurpreet Singh @ Soni, the petitioner has been indicted as an accused. He further submits that as the petitioner is not involved in any other case of similar nature, therefore, his custodial interrogation may not be necessary.

Notice of motion for 13.12.2021.

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 his 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 further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Hakam Singh, does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being. He states that challan was presented on 20.09.2021 and the charges have been framed on 28.10.2021.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.07.2021 is made absolute.

06.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No