

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24319-2019 (O&M)
Date of decision: 16.05.2022

Vikrant Rana @ Dimple and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. L.S. Sekhon, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to petitioners Vikrant Rana @ Dimple and Gurinder Singh @ Rosy, in FIR No.286 dated 13.12.2017 under Section 22 of NDPS Act, registered at Police Station Meharban, District Ludhiana.

On 05.11.2019, while granting interim bail to the petitioners, following order was passed: -

“Learned counsel for the petitioners while pointing towards consent memos prepared by investigating officer in the presence of DSP has argued that in these memos it is mentioned that the

accused signed in English and other witnesses also signed. Before taking signatures of accused, investigating officer could not visualize as to in which language accused will sign. This shows that the memos were prepared on blank papers having signatures of accused.

Learned State counsel submits that these facts find mentioned in the consent memo and DSP Rajesh Kumar is the best person to tell about the same.

List on 27.01.2020.

DSP Rajesh Kumar is directed to be present in Court on next date of hearing to apprise as to how consent memos before taking signatures of accused spells out that he had signed in English and the witnesses have also signed over it.

In the meanwhile petitioners are ordered to be released on interim bail till next date of hearing on their furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/duty Magistrate.”

Learned counsel for the petitioners that the petitioners have put in appearance and they are regularly appearing before the trial Court and interim order is continuing.

Reply by way of affidavit of Assistant Commissioner of Police (East), Ludhiana is on record, in which it is stated that co-accused of the petitioners, namely Davinder Kumar @ Rana, absented from the Court

proceedings on 04.05.2019 and despite raiding his house, he could not arrested and now he has been arrested.

Learned State counsel submits that charges have been framed and out of total 17 prosecution witnesses, none has been examined so far.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioners were granted interim bail about two and half years ago and there is no allegation that they have misused the concession of interim bail and are regularly appearing before the trial Court, this petition is allowed and the order dated 05.11.2019, granting interim bail to the petitioners, is hereby made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

16.05.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No