

Tochi, with copies of those orders annexed as Annexures P-3 to P-6 respectively with the petition.

Notice of motion is issued, with Mr. Rana Harjasdeep Singh, learned DAG, Punjab, accepting notice on behalf of the respondent on the asking of the court.

He submits that though of course obviously he cannot deny the fact that the other co-accused of the petitioner have been admitted to bail by this court, however, the petitioner has other criminal antecedent also, inasmuch as there is another FIR registered alleging therein the commission of an offence punishable under the provision of the NDPS Act and another one alleging therein commission of an offence punishable under the provisions of the Punjab Excise Act, 1914.

Having considered the matter, since the allegation against the petitioner is only on the basis of a complaint made by a granthi of a Gurudwara, without making any comment on the actual merits of the allegation, which naturally would be gone into by the investigating agency, the petitioner is directed to join investigation within one week and upon his doing so, in case he is sought to be arrested, he would be admitted to interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaq Magistrate. He shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Illaq Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.

Adjourned to 06.09.2022.

To be heard along with CRM-M-27700 of 2022.

At this stage, learned counsel for the petitioner points out that even in the case of his co-accused, Tarlochan Singh @ Tochi, who has been admitted to anticipatory bail, there are 5 other cases registered against him under the provisions of the NDPS Act and one under the provisions of the Punjab Excise Act.

(AMOL RATTAN SINGH)
JUDGE

29.07.2022
vcgarg”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Gurdeep Singh has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 29.07.2022 and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 29.07.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

September 06, 2022
Amandeep

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