

*(Through Video Conferencing)*CRM-M No. 41826 of 2021
Date of Decision: 18.01.2022

Mohammad Shehbaz

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHIPresent: Mr. Imran Farooqi, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner is seeking anticipatory bail in FIR No. 88 dated 06.08.2021 registered under Sections 22 and 29 of the NDPS Act at Police Station Sadar Ahmedgarh, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by co-ordinate Bench of this Court on 06.10.2021. Order dated 06.10.2021 is as under:-

“Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of disclosure statements of co-accused Manmohan @ Monu and Mohd. Rashid from whom the contraband was recovered. Petitioner is alleged to be the supplier of intoxicant tablets to the co-accused.

Notice of motion for 18.01.2022.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 13.10.2021 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 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 on the merits of the case. The case shall be decided on merits on the adjourned date.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from SI Chandgir states that in terms of the order of this Court reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 06.10.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, State shall have liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

18.01.2022
 jyoti-II

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No