

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

203

CRM-M-44354-2021  
Decided on : 08.02.2022

Rajesh Kumar

. . . Petitioner

Versus

State of Punjab

. . . Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

**(Through Video Conferencing)**

PRESENT: Mr. Akashdeep Sethi, Advocate  
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

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**VIKAS BAHL, J. (Oral)**

The present petition has been filed under Section 438 Cr.P.C.  
for grant of anticipatory bail to the petitioner in case FIR No. 258 dated  
20.11.2020 under Sections 15, 18, 21 and 22 of the NDPS Act and Section  
61 of Excise Act registered at Police Station City-1, Abohar.

On 22.10.2021, this Court was pleased to pass the following  
order:-

*“Inter alia contends that no recovery has been made  
from the petitioner and the case of the petitioner is on the  
same footing as that of Ajay Jagga @ Deepa, who has  
already been granted concession of anticipatory bail vide  
order dated 25.03.2021 in **CRM-M-42031-2020** titled as  
**“Ajay Jagga @ Deepa vs. State of Punjab”**.”*

*Notice of motion.*

*On advance notice, Mr.Saurav Khurana, DAG,  
Punjab, appears and accepts notice on behalf of the  
respondent-State.*

*Adjourned to 25.10.2021.*

*To be heard along with CRM-M-31169-2021.*

*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting / Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 22.10.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Balkaran Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 22.10.2021 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 22.10.2021 is ordered to be made absolute.

However, 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 application.

**February 8<sup>th</sup>, 2022**  
Mehak

**(VIKAS BAHL)**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No