

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

208

CRM-M-42847-2020 (O&M)

Date of decision: 16.11.2022

SUKHWINDER SINGH @ SUKHI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gursimran Singh Madaan, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.176 dated 18.10.2020 registered under Sections 15 and 18 of the NDPS Act and Section 29 of the NDPS Act (added later on), at Police Station Khamano, District Fatehgarh Sahib.

Vide order dated 18.12.2020 passed by a Coordinate Bench of this Court, the arrest of the petitioner was stayed. Thereafter, vide order dated 12.02.2021, the petitioner was directed to join the investigation.

On 17.03.2021, learned State counsel submitted that despite interim protection and a specific direction issued by a Coordinate Bench of this Court, the petitioner had not joined investigation.

Today, learned State counsel, on the instructions from ASI Taranjit Singh, submits that though the petitioner has joined the

investigation, yet he is no cooperating with the investigating agency. He further submits that apart from the present FIR, FIR No.85 dated 02.05.2018, under Section 15 of the NDPS Act, at Police Station Samrala, is registered and pending against the petitioner.

Perusal of the record would show that despite availing 8 effective opportunities, the petitioner has not cooperated with the investigating agency and complied with the orders passed by a Coordinate Bench and this Court.

Thus, the petitioner cannot be allowed to avail the interim protection at the costs of violation of the conditions laid therein. Above all, there is one more case of similar nature registered and/or pending against the petitioner, which clearly shows the criminal antecedents of the petitioner. Therefore, the petitioner is no longer entitled to the interim protection.

In view of the above, the present petition stands dismissed.

16.11.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No