

CRM-M-49684-2021
Date of decision-17.03.2022

Gopal Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Varinder Basa, Advocate for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.126 dated 19.10.2021 under Section 21 of NDPS Act, 1985 (Section 21 of NDPS Act added later on vide DDR No.26 dated 19.10.2021), registered at Police Station Sadar Batala, Gurdaspur, Punjab, who apprehends his arrest at the hands of Police.

On 29.11.2021, this Court had passed the following order:-

“Learned counsel contends that the contraband (3 gram heroin) was recovered from accused-Balkar Singh, who was arrested on the spot and subsequently on his disclosure statement, petitioner was arraigned as an accused. According to him, in the given facts the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 17.03.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Ashok Kumar states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 29.11.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.03.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No