

208 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14686-2022

DATE OF DECISION:-15.02.2023

Najeer Mohammad

...Petitioner.

V.

State of Punjab

...Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sunny K. Singla, Advocate,
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No.29 dated 08.03.2022, under Section 17-C of the Drugs and Cosmetics Act, 1940 and Section 21/61/85 of NDPS Act, registered at Police Station City Ahmedgarh.

Learned counsel for the petitioner submits that vide order dated 07.04.2022, this Court granted interim relief to the petitioner from being arrested, however, subject to furnishing personal and surety bonds in the sum of Rs.25,000/- each, to the satisfaction of the arresting officer with direction to the respondent-State to place on record the concerned FSL report. The same is reproduced hereunder:-

“1. *Notice of motion.*

2. *Ms. Bhavna Gupta, DAG, Punjab, waives service on behalf of the respondent-State.*

3. *List on 24.5.2022.*

4. *Report of the FSL concerned, be ensured to be placed on record.*

5. *In the meantime, and, till further orders, the bail applicant/petitioner may not be arrested, by the arresting officer. However, subject to the bail applicant-petitioner furnishing personal and surety bonds in the sum of Rs. 25,000/- each, to the satisfaction of the arresting officer. The bail applicant shall also give an undertaking before the arresting officer, that as and when he is summoned through a written Hukamnama, he shall ensure his rendering cooperation to the investigating officer.”*

Today, learned State counsel, on instructions from ASI Shamsheer

Singh informs this Court that in pursuance to the order dated 07.04.2022, the petitioner has joined the investigation and has been cooperating with the investigating agency. He further submits that even FSL report has also been filed before the trial court and in pursuance thereof, the petitioner has been released on interim bail vide order dated 12.09.2022.

Having considered the facts that the investigation stands completed with the filing of challan along with FSL report and the petitioner having submitted himself to the jurisdiction of the trial court, having been granted interim bail, besides even having joined investigation and cooperating with the investigating agency, the order dated 07.04.2022 is made absolute and the petitioner is directed to furnish his bail bonds/surety bonds as regard his regular bail before the trial court, to its satisfaction, within a period of two weeks from today and the petitioner will continue to appear before the trial court.

Disposed of accordingly.

15.02.2023

sonika

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No