

S. No.205

2023:PHHC:122431

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20934 of 2023

Date of Decision:18.09.2023

Jaspal Singh alias NannuPetitioner

Vs.

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.

Mr. Amarjit Singh, IO in person.

DEEPAK GUPTA, J. (Oral)

Nobody is appearing for the petitioner as lawyers are abstaining from work.

I have gone through the petition and the documents annexed therewith.

On 31.05.2023, the following order was passed by this Court:-

“1. Petitioner is seeking anticipatory bail in case bearing FIR No. 122 dated 21.08.2022 under Sections 21/29 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Sadar Zira, District Ferozepur.

2. Short reply by way of affidavit of Palwinder Singh, Deputy Superintendent of Police, Sub Division Zira, District Ferozepur, on behalf of the State has been taken on record.

3. Learned counsel for the petitioner contends that the FIR has been registered in pursuance of the recovery of 25 gms of heroin from Kuldeep Singh, co-accused and the petitioner has been sought to be nominated on the basis of his disclosure statement. Though the petitioner is involved in 4 other cases but is on bail in those cases and the said cases do not pertain to the offence under NDPS Act.

4. Learned counsel for the petitioner has sought to place reliance upon the order dated 17.05.2023 rendered in SLP No. 1266 of 2023 titled as Vijay Singh Vs. State of Haryana; wherein the anticipatory bail has been granted to the accused who was sought to be nominated on the basis of the disclosure statement of the co-accused from whom less than commercial quantity of

contraband was recovered.

5. *It has been further stated that the petitioner was granted interim bail by the Court of Sessions, but he could not join the investigation on account of miscommunication between him and the counsel and it resulted in dismissal of the bail application.*

6. *Adjourned to 18.09.2023.*

7. *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.”*

Today, ASI Amarjit Singh, appeared and informed that in compliance of the order dated 31.05.2023, petitioner has since joined the investigation and he is no longer required for any investigation.

In view of the afore-said statement, order dated 31.05.2023 whereby interim anticipatory bail was granted to the petitioner in the FIR in question, is hereby made absolute. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and make compliance of the conditions envisaged under Section 438(2) Cr.P.C.

Disposed of.

September 18, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No