

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

CRM-M-30843-2023

Date of decision : 08.08.2023

LEKH RAJ

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Abhinav Singla, Advocate for the petitioner.

Mr. Amit Shukla, AAG, Punjab

PANKAJ JAIN, J. (ORAL)

On 19th of June, 2023, the following order was passed :

“XXXX

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Apprehending his arrest in FIR No.91 dated 04.04.2023, registered under Sections 21B/61/85 (Section 29 added later on) of the NDPS Act, 1985 at Police Station Special Task Force, District STF Wing, Punjab petitioner seeks pre-arrest bail.

Learned counsel for the petitioner *inter alia* relies upon *Vijay Singh Vs. The State of Haryana, Special Leave to Appeal Crl. No.1266/2023 dated 17.05.2023* and *Supriya Chaki Vs. The State of West Bengal, Special Leave to Appeal (Crl.) No(s). 807/2020 dated 12.01.2023* to submit that the petitioner having been nominated only on the basis of disclosure made by the co-accused ought to have been granted pre-arrest bail.

Notice of motion for 08.08.2023.

On the asking of the Court, Mr. H.S.Sitta, DAG, Punjab appears and accepts notice on behalf of the respondent-State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the

investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

2. Ld. State counsel on instructions from ASI Jatinder Handa submits that the petitioner has joined investigation and is no more required for custodial interrogation.

3. Apart therefrom, counsel for the petitioner has argued that the co-accused from whom contraband was recovered already stand admitted to bail by Trial Court vide orders dated 8th of May, 2023 and 15th of May, 2023.

4. In view of above, the order dated 19th of June, 2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.

5. The petitions stands disposed off.

August 08, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No