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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-33874-2023 (O&M)
Date of Decision: 21.09.2023

Sukhjot Singh @ Sukha

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Zorawar Singh Chauhan, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab.

...

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.29 dated 13.02.2023 under Section 304 of the Indian Penal Code, 1860 and Sections 21/21-B/29 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Phillaur, District Jalandhar (Rural).

2. Allegations against the petitioner are that co-accused Amit had purchased alleged contraband from the petitioner.

3. This Court, vide order dated 22.08.2023 granted interim bail to petitioner and the same reads as under:-

“Contends that from bare reading of the FIR or the affidavit dated 16.08.2020, no allegation is made out against the petitioner regarding his complicity.

Learned State counsel will find out as to whether any other criminal case is pending against the petitioner?

Posted on 21.09.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2)

- of the Code of Criminal Procedure, 1973.”*
4. Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
5. Learned State Counsel, on instructions from ASI Jaigopal, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.
6. In view of above, interim order dated 22.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending applications, if any, also stand disposed off.

21.09.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No