

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

208

2024:PHHC:017651

CRM-M-45040-2021

Date of decision: February 8th, 2024

Manjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.S. Sandhu, Advocate
for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.70 dated 27.11.2019 under Section 21 of the NDPS Act, 1985, registered at Police Station Arifke Ferozepur.

2. Vide order dated 06.07.2022, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner submits that the petitioner was neither named in the FIR nor arrested at the spot; that the petitioner has been indicted in the present case on the basis of the disclosure statement of co-accused, namely, Balwinder Singh, which was recorded after three days of the incident and that Balwinder Singh in his disclosure statement had initially named Raj Kumar and Vikram Singh as co-accused. He further submits that no recovery was effected from the petitioner and that

there is no other case registered and/or pending against the petitioner.”

3. Learned counsel for the petitioner submits that in compliance of order dated 06.07.2022, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Sukhdev Singh, has submitted that the petitioner has joined investigation and cooperated with the investigating agency. It has also been submitted that during the pendency of the instant petition, not only has the investigation been completed but also challan stands presented. Learned State counsel does not dispute the submissions made by the counsel opposite and has also informed the Court, on instructions, that the custodial interrogation of the petitioner is not required.

5. On a pointed query put to the learned State counsel as to whether the petitioner has any criminal antecedents, he on instructions, has replied in the negative.

6. In view of the above, the petition is allowed and interim order dated 06.07.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

February 8th, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No