

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

101+207

CRM-M-12192-2021 (O&M)

Date of decision : 20.09.2021.

Gurwinder Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Parvinder Singh Ahluwalia, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

CRM-30364-2021

Case taken up through video conferencing.

This application is for addition of Sections 411, 483 IPC and Section 31 of the NDPS Act in the head note and the prayer clause of the petition.

Learned counsel for the applicant/petitioner contends that during the pendency of this petition, the aforementioned sections were added in the FIR.

Issue notice in this application.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent.

Heard. For the reasons stated in the application, the same is allowed and Sections 411, 483 IPC and Section 31 of the NDPS Act would be read in the head note and the prayer clause of the petition.

Registry is directed to carry out necessary correction/addition.

Main case

A Coordinate Bench of this Court on 17.03.2021, had passed the following order:-

This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.114 dated 02.09.2020 under Section 18 and 61 of the NDPS and Section 473, 482 IPC registered at P.S. Banur, District Patiala on the ground that the petitioner has been falsely implicated in the said matter. It is argued that contents of the FIR would reflect that a *naka* was set up on the basis of secret information that two unknown trimmed hair persons were dealing in opium and that they would be coming to Banur side from Lalru via Dharamgarh in i-20 car on which false registration No.PB-10-FX-3292 has been affixed.

He further submits that the petitioner herein was not arrested at the spot and no recovery was effected from him, however, apprehends that he would be taken into custody. It is also argued that the alleged i-20 car does not belong to him and has already been taken by one Ravinder Singh on superdari in CRM No.818 of 2020 on 04.12.2020 from JMIC, SAS Nagar, Mohali. It is also argued that no recoveries are to be effected from the petitioner and he is ready to join investigation.

Notice of motion.

Ms. Samina Dhir, DAG, Punjab, who is present in the Court, accepts notice for the respondent-State and opposes the grant of bail to the petitioner.

I have heard counsel for the parties.

The petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided

under Section 438(2) Cr.P.C.

Adjourned to 20.09.2021.”

Learned State counsel, upon instructions from ASI Ram Krishan, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 17.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

September 20, 2021

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No