

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

CRM-M-22560-2022 (O&M)

Date of decision: 13.09.2022

Manpreet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. J.S. Moudgil, Advocate for the petitioner.

Mr. IPS Sabharwal, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 64 dated 27.04.2022 registered under Section 304 IPC read with Section 34 IPC, at Police Station Sirhind, District Fatehgarh Sahib.

Vide order dated 23.05.2022, *ad interim* anticipatory bail was granted to the petitioner.

Learned counsel for the petitioner submits that pursuant to the aforesaid order dated 23.05.2022, the petitioner has joined the investigation. However, he prays that as, vide DDR dated 19.05.2022, Section 21-A of the NDPS Act and Section 25 of the Arms Act, were added in the present case, the same be added in the head note, prayer clause and order dated 23.05.2022 and *ad interim* bail granted to the petitioner be also granted for the offences

under Section 21-A of the NDPS Act and Section 25 of the Arms Act, as the recovery of 5 gram of Heroin and one country made pistol was effected from co-accused Daljeet Singh @ Nanda, not from the petitioner.

Learned State counsel does not dispute the aforesaid factual position.

Keeping in view the above facts, the aforesaid prayer is allowed. Registry is directed to add Section 21-A of the NDPS Act and Section 25 of the Arms Act, in the head note, prayer clause and in the order dated 23.05.2022 passed by this Court.

The *ad interim* anticipatory bail granted to the petitioner vide order dated 23.05.2022, shall also be treated to have been granted in respect of Section 21-A of the NDPS Act and Section 25 of the Arms Act, as well.

Learned State counsel, on instructions from SI Navneet Kaur, submits that the petitioner has joined the investigation and is not required for any further investigation.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 23.05.2022 granting *ad interim* anticipatory bail to the petitioner is made absolute, subject to the conditions envisaged in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

13.09.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No