

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

209

**CRM-M-31962-2022 (O&M)**  
**Date of decision: 27.10.2022**

**BALVIR KAUR ALIAS BIRO**

....Petitioner

**Versus**

**STATE OF PUNJAB**

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

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Present : Mr. R.D. Rattewal, Advocate  
for the petitioner.

Mr. Manipal Singh Atwal, DAG Punjab.

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**AMAN CHAUDHARY. J. (ORAL)**

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.56 dated 04.06.2022, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 NDPS Act added later on) registered at Police Station Sadar Banga, District SBS Nagar.

This Court vide order dated 25.07.2022 directed that in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/ Investigating Officer subject to the conditions provided under Section 438(2) Cr.P.C. The petitioner was directed to join investigation and co-operate with the Investigating Agency as and when required.

Today, learned counsel appearing on behalf of the petitioner has submitted that the petitioner has joined the investigation, pursuant to the order passed by this Court on 25.07.2022.

Learned State counsel, on instructions received from ASI Rampal states that the petitioner in fact did join the investigation on 29.07.2022.

Learned State counsel further submits that the petitioner is not required any more for custodial interrogation at this stage.

Learned counsel appearing on behalf of the petitioner submits that in case the Investigating Agency requires the petitioner to appear, she shall make herself available without any demur.

In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 29.07.2022 granting interim bail to the petitioner, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C. Furthermore, in view of the facts of this case, the petitioner shall also abide by the following conditions:

- (i) The petitioner shall not commit an offence similar to the offence of which, she is an accused or for commission of which she is suspected in this case;
- (ii) The petitioner shall furnish her address and mobile number to the Investigating Officer forthwith and shall not change the same till the conclusion of the investigation and in case for any reason, the petitioner seeks to change the any of the aforesaid, the same shall be done only with prior intimation to the Investigating Officer, stating the reasons for the same;
- (iii) The petitioner shall deposit her passport, if any, with the Investigating Officer forthwith and in case, she does not have the passport, she shall furnish a specific affidavit in this regard.

It is also made clear that in case of non-adherence of any of the conditions aforesaid, the State shall be at liberty to seek cancellation of bail granted to the petitioner by this order.

The present petition stands disposed of accordingly.

(AMAN CHAUDHARY)  
JUDGE

**October 27, 2022**

*S.Sharma(syr)*

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|----------------------------------|---|---------------|
| <i>Whether speaking/reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>        | : | <i>Yes/No</i> |