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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42132-2021 (O&M)
Date of decision : 23.02.2022

KARANDEEP SINGH ALIAS KARAN

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

(Through video conferencing)

Harsimran Singh Sethi, J. (Oral)

CRM-35779-2021

Application is allowed, subject to all just exceptions.

Annexures P-6 to P-8 are taken on record.

CRM-M-42132-2021

Petitioner is seeking anticipatory bail in FIR No.37 dated 01.09.2021 registered under Sections 21 and 29 NDPS Act, at Police Station Nangal Bhoor, District Pathankot, Punjab.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by co-ordinate Bench of this Court on 29.11.2021. Order dated 29.11.2021 is as under:-

“The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.37 dated 01.09.2021

registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Nangal Bhoor, District Pathankot, Punjab.

In compliance with order dated 08.11.2021, Investigating Officer Mr. Ram Bhajan SI, Police Station Nangal Bhoor, District Pathankot is present in the Court.

Reply by way of affidavit of Sh. Rajinder Singh, PPS, Deputy Superintendent of Police, City, Pathankot has been filed in the Registry which is taken on record.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case on the basis of disclosure statement made by his co-accused-Rakesh Kumar @ Rinku. Earlier also the petitioner was implicated as an accused in case FIR No.24 dated 22.05.2021 registered under Section 21 and 29 of the NDPS Act on the basis of disclosure statement made by Rakesh Kumar @ Rinku in which the petitioner was released on bail by the Trial Court vide order dated 14.06.2021. The petitioner has been implicated in the present case only because his father gave complaint along with CCTV footage to the SSP regarding false involvement of the petitioner in FIR No.24 dated 22.05.2021. The petitioner is ready to join the investigation.

On the other hand, learned State counsel opposed the present petition on the ground that the petitioner is a habitual offender.

List on 23.02.2022.

In the meantime, the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

1. He shall make himself available for interrogation by a police officer as and when required;

2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer; and

3. He shall not leave India without previous permission of the Court.”

Learned State counsel, who has also joined the proceedings

through video conference, on instructions from ASI Rakesh Kumar, states that in terms of the order of co-ordinate Bench of this Court reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 29.11.2021 granting

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.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

23.02.2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No