

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

201

CRM-M-50022-2021

Date of Decision : **May 19, 2022**

RIMPU

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Bhupinder Ghanghas, Advocate for
Mr. Lajpat Sharma, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

At the outset, the learned State counsel on instructions from ASI Sukhdev Singh has stated that the name of the petitioner was nominated on the basis of a disclosure statement made by co-accused and no recovery was effected from her and the petitioner is a lady of the age of 33 years. He submitted that in pursuance of the orders passed by this Court on 30.11.2021 and 27.1.2022 whereby her arrest was stayed, the petitioner has joined the investigation and has cooperated with the investigation process and she is not required for any custodial interrogation.

In view of the aforesaid stand taken by the learned State counsel that the petitioner is not required for custodial interrogation the bar contained under Section 37 of NDPS Act will not apply in the present case since the prayer of the petitioner for grant of anticipatory bail was not opposed by the learned State counsel.

In view of the aforesaid position, the present petition is allowed. It is directed that any time when the petitioner is required for investigation then the petitioner shall join the investigation and on her doing so, the petitioner be released on interim bail subject to her furnishing personal bonds and surety 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.

May 19, 2022
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(JASGURPREET SINGH PURI)
JUDGE

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