

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

CRM-M-6465-2023(O&M)

Date of Decision: 16.05.2023

RAHUL SINGH

..... PETITIONER

VS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Hitesh Verma, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

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The prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.316, dated 14.07.2022 under Sections 21 and 29 NDPS registered at Police Station City Barnala, District Barnala.

Vide order dated 07.02.2023, the following order was passed by this Court:-

“Present petition has been filed under Section 438 Cr. P.C. with a prayer for grant of concession of anticipatory bail to the petitioner in case FIR No.316 dated 14.07.2022 under Section 21/29 NDPS Act, registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner states that 3 grams of heroin which is small/non-commercial quantity was recovered from the mother of the petitioner. The FIR was registered on the basis of secret information. He further submits that the petitioner was neither named in the FIR nor he was present at the spot. The name of the petitioner has surfaced only on the basis of the disclosure statement of her mother and Section 29 of the NDPS Act was added later on. He

further submits that the petitioner is ready to join the investigation as and when required by the Investigating Agency.

Notice of motion.

On the asking of the Court, Ms. Himani Arora, AAG, Punjab, accepts, notice on behalf of respondent-State.

Adjourned to 16.05.2023.

Meanwhile, in the event of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit. ”

Learned State counsel, on instructions from ASI Jarnail Singh(745) Barnala submits that in compliance of the order dated 07.02.2023, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 07.02.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

(GURBIR SINGH)
JUDGE

16.05.2023

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>