

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-8732-2023

Date of decision: 17.07.2023

Gurpreet Singh alias Gora alias Guri

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Munish Gulati, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.180 dated 16.08.2022 under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Special Task Force, SAS Nagar (Mohali).

2. On the last date of hearing i.e. on 20.02.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner submits that the petitioner has been falsely been implicated in the present case alleging that he fled away from the spot while co-accused - Gurpreet Singh @ Vicky was apprehended by the police along with 35 grams of heroin on 16.08.2022. Learned counsel for the petitioner submits that the prosecution story seems to be highly improbable and that the petitioner, who is having no other criminal case, is ready to join the investigation with the police. ”

3. Learned counsel for the petitioner submits that in compliance of order dated 20.02.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Gurnaib Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 20.02.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

17.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No