

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

203

CRM-M-9504-2023

Date of Decision:03.03.2023

Akashdeep Singh @ Bobby

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Karandeep S. Sidhu, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.138 dated 27.08.2022 registered under Section 304 of IPC (Section 21/29/61/85 of NDPS Act, 1985 was added later on) registered at Police Station City Jalalabad, District Fazilka.

FIR was lodged on the complaint of Jarnail Singh as per which his son Amandeep Singh was habitual of consuming heroin for the last four years and used to bring this heroin from petitioner and others. The said Amandeep Singh consumed the heroin on 27.08.2022 and expired.

It is contended that as per the allegation of the complainant, his son was consuming contraband for the last four years but during this long period no complaint was ever made against the petitioner. Petitioner is not involved in another case.

Today status report is also filed by the State, which reveals that co-accused Gurcharan Singh and Surjit Kaur were apprehended and two gram each of heroin was recovered from them. It is conceded by learned State counsel that no case is pending against the petitioner and thus his

antecedents are clear.

Having regard to the aforesaid facts and circumstances, the fact that petitioner has no criminal antecedent; the fact that no case was ever registered by the complainant against the petitioner, this petition is allowed.

In case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

Disposed of.

March 03, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No