

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

CRM-M-9876-2023

Date of Decision: 18.04.2023

PALLAVI

..... PETITIONER

VS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Balram Prashar, 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.140, dated 04.07.2022, under Section 22 of NDPS Act, 1985 (Section 29 of NDPS Act added during the course of investigation) registered at Police Station Salem Tabri, Police Commissionerate Ludhiana.

On 24.02.2023, the following order was passed:-

“The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.140, dated 04.07.2022, under Section 22 of NDPS Act, 1985 (Section 29 of NDPS Act added during the course of investigation), registered at Police Station Salem Tabri, Police Commissionerate, Ludhiana.

As per version of the prosecution, co-accused, namely, Sunny was found in possession of 4 grams of intoxicant powder (including plastic bag), while from co-accused Johnny, 5 grams of intoxicant powder (including plastic bag) was recovered.

Learned counsel for the petitioner submits that name of the petitioner was brought in this case on the basis of disclosure statement made by Sunny and Johnny. From third accused, namely, Tarun, 04 grams of intoxicant powder (including plastic bag) was

recovered and he named, Vishal Kumar, who has already been granted the concession of interim bail by this Court vide order dated 23.11.2022 passed in CRM-M No.54454 of 2022.

Notice of motion.

At the asking of the Court, Ms. Himani Arora, AAG, Punjab, appears and accepts notice on behalf of the respondent-State. A copy of the paper book be supplied to her during the course of the day. She seeks some time to file status report in the matter.

List on 18.04.2023.

Meanwhile, in the eventuality 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.

To be heard along with CRM-M No.54454 of 2022.”

Learned State counsel, on instructions from ASI Surinderpal (3425) Ludhiana submits that in compliance of the order dated 24.02.2023, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 24.02.2023 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.

18.04.2023

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**(GURBIR SINGH)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*