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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 10444 of 2023
Date of Decision :19.09.2023

RAFIQUE KHAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Yash Goyal, Advocate for
Mr. Pardhuman Garg, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.
.....

SANJIV BERRY, J.

By way of present petition filed under Section 438 Cr.P.C by
the petitioners seeking anticipatory bail in in FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
23	07.02.2023	21/25 of NDPS Act	Sadar Mansa, District Mansa

2. Learned counsel for the petitioner submits that in compliance to
the order dated 20.04.2023 passed by this Court, the petitioner has already
joined in the investigation and as such prays for the aforesaid order to be
confirmed.
3. Learned State counsel on instructions from ASI Balvir Singh
has intimated that the petitioner has already joined investigation and is not

required for any further investigation. He submitted that no recovery has been effected from the petitioner and has not required for custodial interogation of the case she however pointed out regarding pendency of other case of the petitioner including one case under the Excise Act and 2 cases under IPC pending against the petittioner.

4. In the aforesaid FIR one Vikas Kumar was arrested by the police and from his possession 4 gram of Herion was recovered and later during course of investigation he made disclosure statement nominating the petitioner as one of the accused. In pursuance to the order dated 20.04.2023, the petitioner had already joined investigation and is not required for any further investigation nor is required for custodial interogation.

5. Consequently, keeping in view the above facts and circmstances and the fact that the petitioner had joined investigation and not required for further investigation or custodial interogation, the interim bail granted to the petitioner vide order dated 20.04.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further, he will not tamper with the evidence nor will influence the witnesses; shall cooperate with the investigation as and when so required.

6. The petitions stand allowed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

19.09.2023

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No