

2023:PHHC:065035

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12033-2023
Date of decision: 05.05.2023

SUKHDEV SINGH ALIAS BABBU

...Petitioner

V/s

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Balbir K. Saini, Advocate
for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab,

MANJARI NEHRU KAUL J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail to the petitioners, in case FIR No.8 dated
21.01.2023 for the offences under Sections 21, 22 and 29 of Narcotic Drugs
and Psychotropic Substances Act, 1985 registered at Police Station Mehna,
District Moga.

Vide order dated 10.03.2023, petitioner was granted the
concession of interim bail in the following terms:

*“Learned counsel inter alia contends that the petitioner was
not named in the secret information received by the police, pursuant to
which recovery of 20 gms of Heroin and 30 intoxicant tablets of Etizolam
was effected from the co-accused. He contends that the petitioner was
nominated as an accused on the basis of disclosure statement suffered by
co-accused, who stated that the recovered contraband had been purchased
by them from the petitioner. On a pointed query put to the learned counsel*

as to whether the petitioner was involved in any other criminal case, he has replied in the negative and submitted that though he was involved earlier in a criminal case, but he has already undergone the sentence therein.”

Learned counsel for the petitioner states that pursuant to order dated 10.03.2023, passed by this Court, the petitioner has joined investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions states that the petitioner is no longer required for further interrogation.

In view of the above, the petition is allowed and interim order dated 10.03.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. However, it is made clear that in case, the petitioner misuse the concession of bail granted to him, the State would be at liberty to seek cancellation of bail granted to him.

05.05.2023
manisha

(MANJARI NEHRU KAUL)
JUDGE

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