

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15326 of 2023
Date of decision: 5th July, 2023

Vijay Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mikhail Kad, Advocate for the petitioner.
Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.267 dated 16.12.2022 under Sections 21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bhawanigarh, District Sangrur.

2. Vide order dated 29.03.2023, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner submits that the petitioner is nominated on the basis of statement made in custody by the co-accused Bobby Singh from whom 6 grams of heroin was alleged to be recovered. The recovery of heroin from Bobby Singh is of non-commercial nature.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 29.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Jagar 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 the circumstances, the petition is allowed and the interim order dated 29.03.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

July 5, 2023
rps

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