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

CRM-M-19243-2023 (O&M)**Date of decision : 10.08.2023**

Chahat Puri @ Cheeki

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Lavanya Gupta, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
assisted by SI Hajoora Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.194 dated 30.12.2022, under Section 304 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station Dugri, Police Commissionerate Ludhiana.

2. Aforesaid FIR was registered on the basis of statement made by one Harjit Singh with the allegations that during the intervening night of 29-30/12/2022, his son attended a phone call and went away, but did not return back. Later on, complainant came to know that one co-accused Preet has given excessive dose of drugs to his son resulting into his death. Thereafter, he got recorded

supplementary statement that petitioner and other co-accused were in the business of selling drugs and they had put his son on drugs.

3. This Court, on 20.04.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“ Learned counsel for the petitioner contends that the petitioner has been falsely implicated. He submits that a supplementary statement was given by the complainant in which it was stated that the present petitioner along with two other persons namely Vikramjit Singh and Tejinder Singh were in the business of selling drugs and they have put his son on drugs as a result of which his health had deteriorated. Learned counsel submits that the allegations are vague. It has further been submitted that co-accused Vikramjit Singh and Tejinder Singh have been granted regular bail by this Court vide order dated 10.04.2023 (Annexure P-2). Learned counsel also submits that the petitioner is willing to join investigation and abide by the conditions imposed by this Court.

Notice of motion.

On the asking of the Court, Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of the respondent-State.

Learned counsel representing the State of Punjab submits that two other cases under the Narcotic Drugs and Psychotropic Substances Act, 1985 stand registered against the petitioner.

List on 10.08.2023.

In the meantime, the petitioner is directed to appear before the Arresting/Investigating Officer and join investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of the Arresting/Investigating Officer, subject to compliance of the provisions of Section 438(2) Cr.P.C.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.
5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 20.04.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.

10.08.2023

atulsethi

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No