

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:100046
CRM-M -25574-2023 (O&M)
Date of Decision: August 03, 2023

Gurwinder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Nakul Sharma, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

On 19.05.2023, the following order was passed by this
Court:-

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.86, dated 01.04.2023, registered at Police Station STF Phase-4, District STF Wing, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

As per prosecution allegations, a secret information was received against petitioner and co-accused Jagsir Singh @ Sheera to the effect that they are indulged in selling of heroin and on the date of receiving information, they were coming from the side of village Chhaba in I-20 car being driven by Jagsir Singh @ Sheera. It is alleged that the car was intecepted. Co-accused Jagsir Singh @ Sheera was apprehended and 150 grams of heroin was recovered from him. However, petitioner was successful in fleeing away.

It is the contention of Ld. counsel for the petitioner that petitioner is not even known to Jagsir Singh @ Sheera; that he was not present at the spot; that it is highly improbable that the petitioner was able to run away from the spot in the presence of police officials that alleged recovery from co-accused is of non-commercial quantity; that petitioner is ready to join the investigation and further that petitioner is not involved in any such case.

Notice of motion.

Mr. Parneet Singh Pandher, AAG, Punjab accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

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Adjourned to 03.08.2023 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

On instructions from ASI Jagroop Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 19.05.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 19.05.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

August 03, 2023

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(DEEPAK GUPTA)
JUDGE

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