

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

**CRM-M No.29133 of 2023 (O&M)
Date of decision : 20.07.2023**

Sahilpreet

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Ms. Swati Verma, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

1 The petitioner has prayed for grant of pre-arrest bail in FIR No.44 dated 03.05.2023 registered under Section 21 of NDPS Act (Section 29 NDPS Act added later on), at Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

2 While issuing notice of motion, the following order was passed:-

“By this petition, the petitioner seeks the concession of 'pre-arrest bail' upon FIR No. 44 having been registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur, on 03.05.2023, alleging therein the commission of an offence punishable under the provisions of Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 thereof later added).

Learned counsel for the petitioner has submitted that as per the prosecution case, on 03.05.2023 in the area of Bahadur Hussain Kalan, 05 grams heroin was allegedly re covered from co-accused Raja and the petitioner has an apprehension of his arrest in this case as the co-accused Raja is alleged to have made a disclosure statement that he has procured

the contraband from the petitioner Sahilpreet and from one Romanpreet Singh.

He has further submitted that the petitioner is ready to join the investigation and there is no other criminal case pending against the petitioner.

Notice of motion.

On advance notice, Mr. Jaspal Singh Guru, A.A.G., Punjab, appears and accepts notice on behalf of the respondent-State and seeks time to file reply.

He, upon instructions from ASI Amarjit Singh, Police Station Rangar Nangal, who is also present in Court, confirms the fact that there is no other criminal case pending against the petitioner.

Adjourned to 20.07.2023.

In the meanwhile, upon the petitioner joining investigation within one week from today, he would be released on interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate,

He shall also comply with the conditions stipulated in Section 438(2) of the Cr.P.C.

Reply be filed by the next date of hearing.”

3 Today, learned State counsel, on instructions from SI Kailash Chander, has stated that pursuant to the order dated 02.06.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

5 In view of above, the interim order dated 02.06.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6 This petition stands disposed off.

7 Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

20.07.2023
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No