

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-31010-2023

Date of Decision:29.08.2023

Binder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gautam Kumar, Advocate for
Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab assisted
by ASI Karamjeet Singh.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.81 dated 24.05.2023 registered under Sections 21 & 29 NDPS Act, 1985 registered at Police Station Bhawanigarh, District Sangrur.

On 21.06.2023, following order was passed:

“Prayer in the present petition is for the grant of anticipatory bail to the petitioner, in case FIR No.81 dated 24.05.2023, registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner, inter alia, contends that the petitioner has been nominated as an accused on the basis of disclosure statement of the main accused-Harpal Kaur, from whom 30 gms of Heroin was recovered. Learned counsel further contends that other cases pending against the petitioner are not under the NDPS Act and only in the year 1999, one case under the NDPS Act had been registered against the petitioner. Learned counsel submits that there is no other evidence against the petitioner to connect her with the

crime of the present case. She further submits that the petitioner is willing to join investigation and abide by any condition imposed by this Court.

Notice of motion.

Mr. Anmol Singh Sandhu, AAG., Punjab, accepts notice on behalf of the respondent-State

List on 29.08.2023.

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

On instructions from ASI Karamjeet Singh, it is conceded by learned State counsel that petitioner has since joined the investigation. In view of the same and having regard to the factual position noticed earlier on 21.06.2023, the petition is allowed and the order dated 21.06.2023 granting interim anticipatory bail to the petitioner, is made absolute.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 29, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No