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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
-.-

CRM M 37230-2023
Date of Decision 01.08.2023

Karan Kumar*Petitioner*

versus

State of Punjab ...*Respondent*

Coram Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Karandeep S Sidhu, Advocate for the petitioner
-.-

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 40 dated 19.04.2023, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 added later on vide *rapat* No. 13 dated 21.04.2023), at Police Station Kulgarhi, District Ferozepur.

It is submitted by counsel for the petitioner that case against the petitioner is totally false, frivolous and concocted. Even as per the allegations of the prosecution, the name of the petitioner has surfaced in the case only on the disclosure statement of the co-accused. However, during investigation of the co-accused, who has named the petitioner, nothing has come up to show involvement of the petitioner. There is no other case against the petitioner. The petitioner shall join the investigation as and when called upon to do so. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab
accepts notice on behalf of the respondent – State.

Counsel for the State, on instructions from SI Sarwan Singh,
has submitted that 220 grams of heroin has been recovered from the co-
accused, who has stated that he had purchased the same from the petitioner.
However, it is not disputed that there is no other case against the petitioner.

In view of the above, but without commenting anything on
merits of the case, the present petition is allowed. In the event of arrest, the
petitioner be released on bail, subject to his furnishing personal
bonds/surety to the satisfaction of the Arresting/Investigating Officer.
However, the petitioner shall join the investigation as and when called upon
to do so and shall abide by the conditions as provided under Section 438 (2)
Cr.P.C.

(Rajbir Sehrawat)
Judge

August 01, 2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No