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

CRM-M-37389-2023 (O&M)

Date of decision : 10.08.2023

Simran Singh @ Bagga

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Lavanya Gupta, Advocate,
for Mr. Rajeev Sharma, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
assisted by SI Hajoor 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.0194 dated 30.12.2022, under Section 304 of the Indian Penal Code, 1860 (for short, '*the IPC*') and Sections 27 & 29 of the Narcotic Drugs and Psychotropic Substances, Act, 1985 (*for short 'the Act'*), registered at Police Station Dugri, Ludhiana.

2. Aforesaid FIR was registered on the basis of statement made by one Harjit Singh with the allegations that during 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 04.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter-alia that with similar allegations co-accused, namely, Chahat Puri @ Cheeki has already been granted the concession of interim pre-arrest bail in CRM-M-19243-2023, which is stated to be pending for 10.08.2023.

Learned State counsel seeks time to verify the aforesaid factual position.

Posted on 10.08.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

To be heard along with the aforesaid petition”

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 04.08.2023 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