

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.38521 of 2023
Date of decision: 14th November, 2023

Arajun Patidar @ Arjan Patidar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.99 dated 01.08.2022 under Sections 18 (Section 29 added later on) of NDPS Act, 1985, registered at Police Station Badhni Kalan, District Moga.

2. On the last date of hearing, i.e. 22.08.2023, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation in view of the following submissions made by learned counsel for the petitioner on 07.08.2023:

“Learned counsel for the petitioner submits that pursuant to a secret information received, co-accused Jagdev Singh was nabbed by the police and recovery of 9 kgs of opium was allegedly effected from him. Thereafter, on 07.08.2022, six days after the registration of FIR, disclosure statement was allegedly suffered by co-accused Jagdev Singh, wherein he nominated the petitioner as an accused by

stating that the recovered contraband had been procured from him. Learned counsel further submits that the petitioner has clean antecedents as he is not involved in any other case of similar nature. Learned counsel submits that the petitioner is willing to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 22.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Chamkaur Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. It has also not been controverted that the petitioner has clean antecedents and is not involved in any other criminal case, much less under the NDPS Act. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 22.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

November 14, 2023
rps

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