

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40087-2023
Date of decision: 07.11.2023

VISHAL

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Dinesh Trehan, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA J. (ORAL)

On 17.08.2023, following order was passed by this Court:-

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.69, dated 15.04.2023, under Section 21 of the NDPS Act, 1985 (Sections 25 and 29 of the NDPS Act added later on), registered at Police Station City Jagraon, District Ludhiana.

As per the allegations, 257 grams of heroin was recovered from the possession of co-accused Buta Singh. In his disclosure statement, said Buta Singh nominated one Kamaljit Kaur from whom he purchased 80 grams of heroin and further nominated petitioner Vishal from whom he purchased 200 grams of heroin.

Learned counsel for the petitioner submits that petitioner has been falsely implicated. Though it is conceded by him that the petitioner is involved in other cases pertaining to NDPS Act, but no recovery was effected from him and that recovery in other cases is small. It is also contended that even in the present case, the recovery effected from co-accused Buta Singh is of non-commercial category.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab accepts notice on behalf of the respondent-State A copy of paper book be supplied to him during the course of day.

Adjourned to 07.11. 2023 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal surety bonds to the satisfaction of the Arresting Officer Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Today, on instructions from ASI Manjeet, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 17.08.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 17.08.2023, whereby the petitioner was granted interim anticipatory bail is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

November 07, 2023
manisha

(DEEPAK GUPTA)
JUDGE

- | | | |
|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |