

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-41417-2023

Date of decision: 01.12.2023

Harjeet Singh @ Hira Singh

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Harmanpreet Singh, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.118 dated 21.07.2023 under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kamboj, District Amritsar Rural.

2. On 02.09.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand on the basis of some secret information received. He further submits that pursuant to the secret information received 03 co-accused were nabbed by the police and that too after 02 days. He submits that the petitioner has clean antecedents and is in no way connected with the co-accused from whom recovery of 975 grams of heroin was effected. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 02.09.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from ASI Sarwan Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. In view of the above, the petition is allowed and interim order dated 02.09.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

01.12.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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