

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-41765-2023

Date of decision: 23.11.2023

Baldev Ram

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jaskamal Singh Grewal, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., 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.0009 dated 07.02.2023 under Sections 22, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') (Section 29 of the NDPS Act added lateron) registered at Police Station Ghagga, District Patiala.

2. On 24.08.2023, 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 inter alia contends that the petitioner was nominated as an accused on the basis of a disclosure statements allegedly suffered by co-accused Kuldeep Singh from whom recovery of 540 loose tablets of Tramadol (non-commercial quantity) was effected. He submits that the evidentiary value of such disclosure statement is admittedly of a weak nature. It has also been submitted that the petitioner has clean antecedents as he is not involved in any other case much

less a case under the NDPS Act. 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 24.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Paramjit 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 24.08.2023, 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.

23.11.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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