

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-43146-2023 (O&M)
Date of decision: 29.11.2023

TEJINDER SINGH ALIAS TITTI ALIAS CHITTA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Sharma, Advocate for
Mr. Rajesh Bhateja, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG Punjab.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
46	26.07.2023	15 and 29 of the NDPS Act	Ajitwal, District Moga

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 31.08.2023 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions from ASI Kewal Singh has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Heard.

5. During the course of proceedings on 31.08.2023, the following order was passed.

“Inter alia contends that neither the name of the petitioner is mentioned in the FIR and nor any recovery of poppy husk has been effected from the petitioner. He is falsely implicated on the basis of confessional statement of co-accused Joga Singh @ Happy.

Notice of motion.

On advance service of copy of petition, learned State counsel appears and accepts notice on behalf of respondent-State of Punjab and seeks time to file reply.

At his request, adjourned to 31.10.2023.

In the meanwhile, petitioner shall join investigation, as and when required by the Investigating Agency and subject to his reporting to the Investigating Officer within two weeks from today, no coercive steps qua arrest of the petitioner shall be taken. In case, his arrest is required to be caused, petitioner shall be released on bail by the Arresting Officer till the next date of hearing on his furnishing personal bonds to the satisfaction of Arresting Officer. Petitioner shall also abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 31.08.2023 passed by this Court, interim bail granted vide order dated 31.08.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country

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without prior permission of the Court.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

29.11.2023
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No