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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-44607-2023 (O&M)

Date of decision : 10.10.2023

Pritpal Singh

...Petitioner(s)

Versus

State of U.T. Chandigarh

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Vipul Jindal, Addl. P.P., U.T. Chandigarh,
assisted by SI Malkit Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.99 dated 15.08.2023, under Section 21 of the Narcotic Drugs and Psychotropic Substances, Act, 1985 (*for short 'the Act'*), registered at Police Station Maulijagan, U.T. Chandigarh.

2. It transpires that petitioner was nominated in the present case on the basis of disclosure made by main accused-Angrej Singh, from whom 21.60 grams of Heroin was recovered without any permit or licence.

3. This Court, on 06.09.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

*“Contends that alleged recovery i.e. 21.60 grams of
Heroin (noncommercial) was recovered from main*

accused, namely, Angrej Singh and petitioner has been nominated on the basis of his disclosure dated 15.08.2023. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion.

Mr. Vipul Jindal, Addl. P.P., UT, Chandigarh accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

*Posted for **10.10.2023**.*

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. There is no assistance on behalf of the petitioner.
5. Learned State Counsel, on instructions from the police officer present in Court submits that petitioner has joined the investigation and his custodial interrogation is not required, at this stage.
6. In view of above, interim order dated 06.09.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.

10.10.2023

(MAHABIR SINGH SINDHU)
JUDGE

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Whether speaking/ reasoned

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Yes / No

Whether reportable

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Yes / No