

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-48535-2023

Date of Decision:11.12.2023

Kulwinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Gill, Advocate
for the petitioner.

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

DEEPAK GUPTA, J.(ORAL)

On 09.10.2023, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.0135 dated 04.09.2023 registered under Sections 21, 61, 85 of NDPS Act (Section 29 of NDPS Act added later on) at Police Station Civil Lines Patiala, District Patiala.

As per the allegations, 100 grams of heroin was recovered from the possession of co-accused Davinder Singh, who in his disclosure statement nominated the petitioner to be the supplier.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated; that he is not involved in any such offence; that attribution to the petitioner is based upon disclosure statement which is not admissible.

Notice of motion.

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

In the meantime, in case of his arrest, the petitioner shall be

released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Status report by way of an affidavit of Shri Sanjeev Singla, PPS, Deputy Superintendent of Police, City-I, District Patiala has been filed on behalf of respondent- State.

Today learned State counsel submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 09.10.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Disposed of.

December 11, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No