

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

207

**CRM-M-50441-2023
Date of decision: 22.11.2023**

JASPRIT SINGH ALIAS UGLI

....Petitioner

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. J.S. Grewal, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On the last date of hearing, the following order was passed:-

The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.131 dated 09.09.2023, registered under Sections 21(b), 25, 61 and 85 of NDPS Act, 1985, at Police Station Jhunir, District Mansa.

Learned counsel contends that the name of the petitioner has surfaced based on a disclosure statement of co-accused-Gursewak Singh @ Sewak, from whom non-commercial quantity of contraband, it being 10 grams of heroin, was allegedly recovered. The petitioner is unconnected with the aforesaid co-accused and has been falsely implicated in the case. Reliance is placed on the judgment passed by Hon'ble The Supreme Court in the case of Tofan Singh vs. State of Tamil Nadu, (2021) 4 SCC 1. He is not involved in any other case and is ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Ms. Himani Arora, AAG, Punjab

accepts notice on behalf of respondent-State.

Adjourned to 22.11.2023.

Meanwhile, the petitioner is directed to join the investigation on or before 31.10.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

2. Learned counsel for the petitioner submits that in pursuance of the order dated 06.10.2023, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from ASI Paramjit Singh, submits that the petitioner has joined the investigation and he is not required for any further investigation.
4. In view of the statement made by learned State counsel, the interim order dated 06.10.2023 is hereby made absolute.

22.11.2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No