

Neutral Citation No. 2023:PHHC:160661

CRM-M-50140-2023

Date of Decision: December 14, 2023

Nirvair Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Bikramjit Singh Randhawa, Advocate for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

1. On 09.10.2023, the following order was passed by this Court:-

“By way of present petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.0243 dated 16.08.2023 registered under Sections 304, 379, 34 IPC and Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

Allegations are that on 29.07.2023, Gurpreet Singh left home and later on his dead body was found. Complaint was lodged by Chanan Lal, father of the deceased alleging that his deceased son had left with Sunny Kumar. It was further alleged that Sunny along with Lovejit Singh had given overdose of heroin injection, resulting in death of Gurpreet Singh.

Learned counsel for the petitioner contends that FIR has been lodged 18 days after the alleged incident. Besides, petitioner is not named in the FIR inasmuch petitioner is known only by the name of Nirvair Singh, which is evident from various documents like copy of

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passport, pan card and driving licence etc., and that he is being wrongly claimed by the prosecution with the alias name of Lovejit Singh.

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.

Adjourned to 06.12.2023 for filing status report.

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.”

2. Today, on instructions from ASI Gurnam Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 09.10.2023 and is no longer required for further investigation.

3. In view of the aforesaid, the order dated 09.10.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

4. Disposed of.

December 14, 2023

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**(DEEPAK GUPTA)
JUDGE**

Whether reasoned/speaking:
Whether reportable:

Yes/No
Yes/No