

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-50840-2023

Date of Decision:11.12.2023

Krishan Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Neeraj Madan, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab
assisted by ASI Paramjeet Singh.

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.052 dated 03.05.2023 registered under Sections 22, 61, 85 of NDPS Act, and under Section 29 of NDPS Act (added later on) at Police Station Sadar Jalalabad (W) & District Fazilka.

Allegations are that 720 intoxicant tablets were recovered from possession of co-accused Paramjeet Singh alias Pamma on 03.05.2023, who nominated Pardeep Kumar @ Pappi, Satpal Singh and Rajinder Singh @ Kala to be the supplier. On the basis of this disclosure statement, Satpal was arrested from whom recovery of 1,12,000 intoxicating tablets was effected and said Satpal nominated the petitioner to be his associate.

It is contended by learned counsel that the petitioner has been falsely implicated; that no recovery was effected from him; that he is not involved in any such other case and that attribution to the petitioner is based upon disclosure statement of co-accused, which is inadmissible.

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.”

Today learned State counsel, on instructions from ASI Paramjeet Singh, 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.

(DEEPAK GUPTA)
JUDGE

December 11, 2023
Neetika Tuteja

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