

**CRM-M-52687-2023**  
**Date of decision: 04.12.2023**

....Petitioner.

## Versus

....Respondent.

Present:- Mr. Harmanjeet Singh Sandhu, Advocate,  
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

.....

**SANJIV BERRY, J. (ORAL)**

1. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

| <b>FIR No.</b> | <b>Dated</b> | <b>Sections</b>                                                                        | <b>Police Station</b>                              |
|----------------|--------------|----------------------------------------------------------------------------------------|----------------------------------------------------|
| 88             | 10.09.2023   | Sections 15 of the NDPS Act, 1985<br>and<br>Sections 61 of the Punjab Excise Act, 1914 | P.S. Ghanaur, Tehsil and District Patiala, Punjab. |

2. Learned counsel for the petitioner submits that in compliance to the order dated 17.10.2023, the petitioner has joined the investigation.

The said order is reproduced below: -

‘Contentends inter alia that recovery is alleged to be 6 Kg. Poppy Husk.

Notice of motion.

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On asking of the Court, Mr. Joginder Pal Ratra, Sr. DAG, Punjab accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

Posted for 04.12.2023.

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.'

3. Learned State counsel on instructions from SI Baljinder Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

4. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 17.10.2023 passed by this Court, interim bail granted vide order dated 17.10.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

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5. It is further made clear that in case the petitioner is found involved in any case under the NDPS Act, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with the law.
6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

04.12.2023  
preeti

(SANJIV BERRY)  
JUDGE

- |     |                            |        |
|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |