

CRM-M-57913-2023
Date of decision: 04.12.2023

....Petitioner.

Versus

....Respondent.

Present:- Mr. Jagdish Singh Mahal, Advocate,
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

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1. Short reply dated 02.12.2023, filed in the form of affidavit of Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala, on behalf of respondent-State, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. 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: -

FIR No.	Dated	Sections	Police Station
0068	18.08.2023	420, 406, 34 IPC Section 13 of the Punjab Prevention of Human Smuggling Act, 2012	P.S. Qila Lal Singh, Police District Batala District Gurdaspur

CRM-M-57913-2023

-2-

3. Learned counsel for the petitioner submits that in compliance to the order dated 17.11.2023, the petitioner has joined the investigation.

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

5. 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 17.11.2023 passed by this Court, interim bail granted vide order dated 17.11.2023 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.

6. 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.

7. The petition stands allowed.

CRM-M-57913-2023

-3-

8. 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
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(SANJIV BERRY)
JUDGE

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