

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

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2024:PHHC:044984
CRM-M-1019-2024
Date of decision: April 3rd, 2024

Mohd. Amzad @ Anju @ Amzad
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Rana, Advocate
for Mr. Abdul Aziz, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.119 dated 23.10.2023 under Section 21 of the NDPS Act, 1985 (Section 29 of the NDPS Act added later on) registered at Police Station City 2, Malerkotla.

2. Vide order dated 10.01.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner, inter alia, contends that co-accused, on being apprehended with 15 grams of heroin, subsequently suffered a disclosure statement, wherein he falsely implicated the petitioner of having supplied him the recovered contraband. Learned counsel submits that the petitioner has clean antecedents as he is not involved in any other criminal case.”

3. Learned counsel for the petitioner submits that in

compliance of order dated 10.01.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Gursharan Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. It has also not been disputed that the petitioner has clean antecedents. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 10.01.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

April 3rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No