

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213 (02 cases)

CRM-M-4410-2024
Date of Decision:06.03.2024

Jasdeep Singh @ Happy
Vs.
State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Balkar Singh.

DEEPAK GUPTA, J.(ORAL)

On 29.01.2024, following order was passed:

“Present: Mr. L.S. Sekhon, Advocate for the petitioner.

By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in a case arising out of FIR No.128 dated 28.06.2023, under Sections 22 and 29 of the NDPS Act, 1985, registered at Police Station Lehra, District Sangrur.

As per prosecution allegations, co-accused Sukhwinder Singh was apprehended on 28.06.2023 and 11600 intoxicating tablets containing salt of tramadol hydrochloride were recovered from him. On the disclosure statement suffered by said Sukwinder Singh, another coaccused Paramjit Singh was arrested, from whom 1500 intoxicating tablets containing the salt of tramadol were recovered. Said Paramjit Singh in his disclosure statement nominated the petitioner to be the supplier.

Learned counsel for the petitioner contends that

petitioner has been falsely implicated; that he has no connection whatsoever with co-accused Paramjit Singh. Learned counsel contends further that petitioner is involved in one more case bearing FIR No.24 dated 15.02.2020, under Section 22 of the NDPS Act, registered at Police Station Budhlada, District Mansa, but he is on bail in that case. Learned counsel contends further that the case against the petitioner is based upon disclosure statement, which is not admissible and that the petitioner is ready to join the investigation.

Notice of motion.

Mr. Anmol Singh Sandhu, AAG, Punjab accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Adjourned to 06.03.2024 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from ASI Balkar 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 29.01.2024 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.

Disposed of.

March 06, 2024

(DEEPAK GUPTA)
JUDGE

Neetika Tuteja	Whether Speaking/reasoned	Yes/No
	Whether Reportable	Yes/No