

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-5307-2024 (O&M)
Date of decision: 26.02.2024

MANDEEP SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gaurav, Advocate for
Mr. P.S. Sekhon, Advocate for the petitioner(s).

Mr. Harpreet Singh, Additional AG Punjab.

SANJIV BERRY. J. (Oral)

1. Status report dated 26.02.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub Division, Sangrur, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Same is perused.
3. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
218	29.11.2023	21, 25 and 29 of the NDPS Act	City-1, Sangrur, District Sangur

4. Learned counsel for the petitioner has submitted that in compliance to the order dated 01.02.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
5. Learned State counsel, on instructions from ASI Ranjit Singh has

intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

6. Heard.

7. During the course of hearing on 01.02.2024 the following order was passed:-

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and he has no concern with the instant FIR. He contends that the police has apprehended the accused, Sandeep Singh and Maya Devi on 29.11.2023 and from their possession 30 grams of heroin was recovered.

3. Learned counsel for the petitioner further contends that the petitioner is not named in the FIR but is alleged to have nominated on the basis of their disclosure statement, the evidentiary value of which is debatable. He further contends that the petitioner has no concern whatsoever with the alleged transaction. He further contends that the petitioner is on bail in other cases registered against him and is ready to join investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Sarabjit Singh Cheema, DAG, Punjab, present in Court, accepts notice on behalf of the Staterespondent and does not dispute the factual matrix of the case, however, he prays for time to file the status report/reply in the matter.

6. Adjourned to 26.02.2024.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite. 8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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.”

8. 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 01.02.2024 passed by this Court, interim bail granted vide order dated 01.02.2024 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

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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.

9. The petition stands allowed.

(SANJIV BERRY)
JUDGE

26.02.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No