

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213 (A)

CRM-M-5490-2024
Date of Decision:06.03.2024

Bantu Singh @ Bittu Singh
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 02.02.2024, following order was passed:

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

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.128 dated 28.06.2023 registered under Section 22 & 29 of 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. Co-accused Paramjit Singh in his disclosure statement nominated petitioner Bantu Singh @ Bittu Singh besides Salinder Singh, Gora Singh, Sinder Kaur and Happy @ Jasdeep Singh to be the suppliers.

Learned counsel contends that similarly placed co-accused Jasdeep Singh @ Happy has already been granted the benefit of interim pre-arrest bail by this Court vide order dated 29.01.2024 passed in CRM-M-4410-2024 (Annexure P-3). Learned counsel also

informs that petitioner was earlier convicted in September, 2017 for possessing non-commercial quantity and that his father had lodged an FIR against the police official under the Prevention of Corruption Act.

Notice of motion.

Mr. Karunesh Kaushal, AAG, Punjab accepts notice on behalf of respondent- State.

Learned State counsel concedes the fact that petitioner is nominated on the basis of disclosure statement of co-accused. It is also not disputed that case of the petitioner is on same footing as that of co-accused Jasdeep Singh @ Happy who has been granted the benefit of interim anticipatory bail vide Annexure P-3.

Adjourned to 06.03.2024 for filing status report.

Be listed along with CRM-M-4410-2024.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in 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 02.02.2024 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