

N.C. No.2024:PHHC:060640

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215CRM-M-8861-2024 (O&M)
Date of decision: 02.05.2024

LOVEJEET SINGH @ LABHA....Petitioner(s)

Versus

STATE OF PUNJAB...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Bhisham Kinger, Advocate for the petitioner(s).

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY. J. (Oral)

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
122	15.08.2023	21(C) of the NDPS Act	Sirhali, District Tarn Taran

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 05.04.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions from ASI Gurdeep Singh, P.S. Sirhali, 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.
4. Heard.
5. During the course of hearing on 05.04.2024 the following order was passed:-

“ 1. Reply dated 05.04.2024 in the form of an affidavit of Deputy Superintendent of Police, Sub-Division, Patti, District N.C. No.2024:PHHC:060640

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Tarn Taran has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Learned counsel for the petitioner inter alia contends that the petitioner is innocent and has been falsely implicated in this case on the alleged disclosure statement of co-accused Gursewak Singh.

3. He further contends that the petitioner has nothing to do with the said transaction nor has he ever involved in dealing in the narcotics.

4. Learned counsel for the petitioner submits that no other case is registered against the petitioner under NDPS Act and is ready to join the investigation.

5. Per contra, learned State Counsel on instructions from ASI Sewak Singh, P.S. Sarhali, District Tarn Taran has not disputed the factual matrix and has intimated that no previous case under NDPS Act is registered against the petitioner.

6. Be it as the case may be.

7. Without commenting on the merits of the case, 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.”

6. 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 05.04.2024 passed by this Court, interim bail granted vide order dated 05.04.2024 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 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

02.05.2024
S.Sharma(syr)