

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-8535-2024
Date of decision: 03.04.2024

SANDEEP SINGH @ SONY AANDA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. V.K. Kaushal , Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On the last date of hearing i.e on 26.02.2024, the following order was passed:-

"1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.364 dated 27.10.2022, under Section 21(b) of the N.D.P.S. Act, 1985 (Offence under Section 29, 61, 85 of the N.D.P.S. Act, 1985, added subsequently), registered at P.S. Maqboolpura, District Police Commissionerate Amritsar.

2. The learned counsel for the petitioner submits that neither the name of the petitioner reflects in the FIR, nor any role whatsoever has been assigned to him therein. The only piece of evidence, which constitutes the bedrock for the investigating agency to arrest the petitioner, is the disclosure statement of co-accused Harman Singh, from whom the alleged recovery of 10 grams of heroin was effected, and as such, his disclosure statement cannot be taken into consideration.

3. Lastly, the learned counsel for the petitioner submits that, except two cases registered under the provisions of the I.P.C.,

wherein also the petitioner is on bail, the petitioner is not involved in any other case under the N.D.P.S Act.

4. Notice of motion for 03.04.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C."

2. Learned counsel for the petitioner submits that in pursuance of the order dated 26.02.2024, the petitioner had joined the investigation.
3. Learned State counsel, on instructions from SI Balbir Singh, submits that the petitioner had joined the investigation and he is not required for any further custodial interrogation.
4. In view of the statement made by learned State counsel, the interim order dated 26.02.2024, is hereby made absolute.

03.04.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No