

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-8657-2024
Date of Decision:04.04.2024

IQBAL SINGHPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Varun Gupta, Advocate for
Mr. Ashish Gupta, Advocate
for the petitioner.

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

DEEPAK GUPTA, J.(ORAL)

Status report by way of affidavit dated 04.04.2024 of Shri Tarlochan Singh (PPS), Deputy Superintendent of Police, Samrala, Police District Khanna, District Ludhiana has been filed on behalf of respondent-State and the same is taken on record.

On 22.02.2024, following order was passed:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.40 dated 20.02.2023 registered under Sections 18 & 25 of NDPS Act (Sections 27 & 29 of NDPS Act added later on) registered at Police Station Samrala, Police District Khanna, District Ludhiana.

As per allegations, 1.5 kg of opium was recovered from the possession of co-accused Anu Kumar and Harjeet Singh. Both of them in their disclosure statement disclosed that they were in touch with one Virender lodged in the jail. The said Virender was arrested and who nominated the petitioner Iqbal Singh.

Learned counsel contends that petitioner has been falsely involved; that though he is involved in one more case pertaining to NDPS Act but in that case also he was nominated under Section 29 of the NDPS Act and in which he has already been allowed anticipatory bail vide order

dated 25.07.2018 of learned Special Court (Annexure P-3). It is also contended that co-accused Anu Kumar and Harjeet Singh from whom the recovery was effected have already been regular bail by the Court. Even Virender, who nominated the petitioner has already been allowed regular bail.

Notice of motion.

Mr. Amandeep Singh, DAG, Punjab accepts notice on behalf of respondent- State.

Adjourned to 04.04.2024.

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 Sukhwinder 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 22.02.2024 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.

04.04.2024

pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No