

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-9227-2024
Date of decision: 06.03.2024

AMANDEEP SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Ruhani Chadha, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

1. Status report dated 06.03.2024 in the form of an affidavit of Deputy Superintendent of Police (D), Jagraon, District Ludhiana (Rural) has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. 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
249	12.12.2023	15 and 25 of the NDPS Act (29 of the NDPS Act added later on); Section 25 of Arms Act and Section 473 of IPC.	Sidhwan Bet, District Ludhiana Rural.

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 21.02.2024 passed by this Court, the petitioner has joined the investigation.
4. Learned State counsel, on instructions from ASI Gursewak

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Singh, informs the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.

5. During the course of hearing on 21.02.2024, following order was passed:

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He further contends that the petitioner is not having any criminal antecedents and has been nominated on the basis of alleged disclosure statement made by the co-accused, namely Harjinder Singh @ Rindi, from whom recovery of 20 kg of poppy husk was effected and FIR was accordingly registered against him.

3. Learned counsel for the petitioner further contends that the petitioner has no concern whatsoever with the alleged transaction and he is ready to join investigation.

4. Notice of motion, returnable for 06.03.2024.

5. On the asking of the Court, Mr. Daksh Prem Azad, AAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from SI Gursewak Singh, submits that the petitioner is not having any criminal antecedents and has been nominated on the basis of disclosure statement made by the co-accused, namely Harjinder Singh @ Rindi, and prays for time to file the status report/reply in the matter.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. 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.”

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 21.02.2024 passed by this Court, interim bail granted vide order dated 21.02.2024 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 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.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

06.03.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |