

Neutral Citation No.2024:PHHC:050827
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CRM-M-9388-2024
Date of decision: 16.04.2024

...Petitioner

STATE OF PUNJAB

....Respondent

Present:- Ms. Dolli Sharma, Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
60	09.05.2023	21 and 29 of the NDPS Act	Bhikhiwind, Tarn Taran

3. Learned counsel for the petitioner submits that in compliance to the order dated 22.02.2024, the petitioner has joined the investigation.

4. During the course of hearing on 22.02.2024, following order had been passed: -

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in the case on the alleged disclosure statement of co-accused Jodhbir Singh @ Jodha, with whom the petitioner has no concern. She contends that even the recovery effected from the said co-accused Jodhbir Singh @ Jodha is small in nature and has already been granted the concession of bail. The

petitioner has no other case registered against him under the NDPS Act nor he has any concern with the alleged transaction. She submits that petitioner is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Daksh Prem Azad, AAG Punjab present in Court, accepts notice on behalf of the respondent-State and prays for time to file status report/reply in the matter.

5. Adjourned to 14.03.2024.

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 co-operate in the same. In the event of the arrest of the petitioner, he shall 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.”

4. Learned State counsel on instructions from ASI Surjit Singh informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. 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 22.02.2024 passed by this Court, interim bail granted vide order dated 22.02.2024 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.

5. The petition stands allowed.
6. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16.04.2024
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(SANJIV BERRY)
JUDGE

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