

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-9590-2024  
Date of decision: 16.04.2024

Saikul.....Petitioner.

Versus

State of Haryana....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Saurav Bhatia, Advocate,  
for the petitioner.

Mr. Surender Singh, AAG, Haryana

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SANJIV BERRY, J. (ORAL)

Status report dated 12/14.03.2024, filed in the form of affidavit of Assistant Commissioner of Police, Crime Gurugram, on behalf of State-respondent, 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 Cr.P.C, the petitioner seek anticipatory bail in case FIR (Annexure P-1) as under: -

| FIR No. | Dated      | Sections                                               | Police Station                            |
|---------|------------|--------------------------------------------------------|-------------------------------------------|
| 418     | 30.11.2023 | 21(b) of NDPS Act<br>(29 of the NDPS Act added lateron | Sector 53, Gurugram,<br>District Gurugram |

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 has been passed: -

‘2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case and has no concern with the alleged transaction, but has been named on the alleged disclosure statement made by co-accused Guddu from whom non-commercial quantity of contraband was effected, who has since been granted the concession of bail. He further submits that the said co-accused Guddu was known to the petitioner and had telephonic conversation but that has nothing to do with the illegal activity of any sort. He submits that the petitioner is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Surender Singh, AAG Haryana 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.’

5. Learned State counsel on instructions from SI Kuldeep, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

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 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.

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.

16.04.2024  
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(SANJIV BERRY)  
JUDGE

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