

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-12079-2024
Date of decision: 22.03.2024

GURLAL SINGH ...Petitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

1. Status report dated 21.03.2024, by way of affidavit of Deputy Superintendent of Police, Sub-division Maur, District Bathinda, on behalf of the respondent-State, has been filed by learned State counsel, in Court today, which is taken on record. A copy thereof has been handed over to the counsel for the petitioner.
2. Heard.
3. 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
09	04.02.2024	21(b) of NDPS Act and Section 29 of NDPS Act added alter on.	Balianwali, District Bathinda

4. Learned counsel for the petitioner has submitted that in compliance to the order dated 07.03.2024 passed by this Court, the petitioner has joined the investigation.

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

6. During the course of hearing on 07.03.2024 following order was passed:

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case. He submits that his car was taken by his friend Tarsem Singh, who handed over the same to accused Amandeep Singh and another, who were apprehended by the police carrying 5 grams of heroin. He submits that the petitioner is not involved in any other case of NDPS and is falsely been nominated in this case on the basis of disclosure statement of accused Amandeep Singh.

3. Notice of motion.

4. On the asking of the Court, Mr. Harpreet Singh, Addl. A.G., Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from ASI Raghbir Singh, admits that fact that the petitioner is not involved in any other case of NDPS. He further prays for time to file the status report/reply in the matter.

5. Adjourned to 22.03.2024.

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 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.”*

7. 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 07.03.2024 passed by this Court, interim bail granted vide order dated 07.03.2024 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.

8. The petition stands allowed.

9. 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

22.03.2024
kvn

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