

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-12030-2024
Date of decision: 08.04.2024

SONI SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Parminder Singh Sekhon, Advocate for the petitioner.
Ms. Sakshi Bakshi, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

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
04	17.01.2024	15 and 29 of NDPS Act	Sadar, Sangrur, District Sangrur

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 19.03.2024 passed by this Court, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from ASI Ram Singh, P.S. Sadar, District Sangrur, informs the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.
4. During the course of hearing on 19.03.2024, following order

was passed:

“3. 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 version put forth that the petitioner ran away from the spot cannot be accepted keeping in view the fact that large number of police party armed with weapons was alleged to be present at the time of said recovery from the co-accused.

4. Learned counsel for the petitioner further contends that the recovery effected from the co-accused does not fall within the pervue of commercial quantity.

5. Per contra, learned State counsel on instructions from SI Kamaljeet Singh has not disputed the factual matrix and has also not disputed that the recovery of contraband has already been effected from the co-accused which is not commercial in nature.

6. In these circumstances, without commenting on the merits of the case, 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. List on 08.04.2024.”

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 19.03.2024 passed by this Court, interim bail granted vide order dated 19.03.2024 is hereby confirmed, subject to

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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.

6. The petition stands allowed.
7. 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

08.04.2024
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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No