

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-12592-2024
Date of Decision:29.04.2024

AVTAR SINGH @ SONUPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. G.P.S. Bhullar, AAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

On 12.03.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for pre-arrest bail in a case arising out of FIR No.0261 dated 04.09.2023, under Sections 482, 506, 509 of IPC, besides Sections 22, 27 and 29 of the NDPS Act, 1985, registered at Police Station Tanda, District Hoshiarpur.

As per allegations, a secret information was received against petitioner and others to be involved in the sale of intoxicating substance. However, it is only co-accused Rano, who was arrested with 60 grams of intoxicating powder.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that his name finds mention only in the secret information, but neither he was apprehended from the spot nor any recovery was effected from him and that the petitioner is ready to join the investigation.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent-State. Copy of paper book be supplied to him during the course of day.

Adjourned to 29.04.2024 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior

permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. 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.”

2. Today learned State counsel, submits that petitioner has since joined the investigation and is not required for custodial interrogation.
3. Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 12.03.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.
4. However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Disposed of.

29.04.2024

(DEEPAK GUPTA)
JUDGE

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Whether Speaking/reasoned Yes/No

Whether Reportable Yes/No