

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-13418-2024
Date of decision: 24.04.2024

Sukha.....Petitioner.

Versus

State of Punjab...Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. C.S. Rana, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, 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
249	12.12.2023	15/25 of the NDPS Act (29 of NDPS Act and 473 IPC added later on) and 25 of the Arms Act	Sidhwan Bet, District Ludhiana (Rural)

2. Learned counsel for the petitioner submits that in
compliance to the order dated 05.04.2024, the petitioner has joined the
investigation.

3. During the course of hearing on 05.04.2024, following order has been passed: -

- ‘1. Heard.
2. Learned counsel for the petitioner contends that the petitioner has nothing to do with the alleged transaction and has been nominated only on the basis of disclosure statement made by co-accused Harjinder Singh @ Rindi.
3. He further contends that the petitioner has no criminal antecedents, not atleast in some NDPS case and contends that the petitioner is ready to join the investigation.
4. Per contra, learned State Counsel on instructions from ASI Balwinder Singh intimate that the petitioner is required to be arrested only on the basis of the aforesaid disclosure statement and there is nothing more against him.
5. Faced with this situation, 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.
6. List on 24.04.2024.’

4. Learned State counsel on instructions from SI Gursewak Singh, CIA Staff, Jagraon, 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 05.04.2024 passed by this Court, interim bail granted vide order dated 05.04.2024 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.

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.

24.04.2024
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(SANJIV BERRY)
JUDGE

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