



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

206

CRM-M-17643-2023

Date of decision: May 21st, 2024

Deepak

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. G.S. Jagpal, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the present petition filed under Section 438 Cr.P.C. is for the grant of anticipatory bail to the petitioner in FIR No.304 dated 26.11.2022 registered under Sections 21, 21-C, 21-B, 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Special Task Force, District STF Wing.

2. Vide order dated 29.02.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“On a pointed query put to the learned State counsel, he has on instructions, not disputed that the petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Tannu Sidhu and Deepak son of Bunty Dhaliwal, from whom a recovery of 500 grams of heroin was effected. Learned State counsel has submitted that though the petitioner was not named in the secret information, which had been received by the police, however, as per the disclosure statement, the petitioner had sold the recovered contraband to both the co-accused.”

3. Learned counsel for the petitioner submits that in compliance of order dated 29.02.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, has not disputed the factum of the petitioner having joined investigation and cooperated with the investigating agency in compliance of order dated 29.02.2024. Learned State counsel, on further instructions, has not disputed that the petitioner is not involved in any other case under the NDSP Act. He submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 29.02.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

6. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

May 21st, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No