

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-15420-2024

Date of Decision:09.05.2024

ARSHDEEP SINGH @ ARSH

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab
assisted by ASI Sukhdev Raj.

DEEPAK GUPTA, J.(ORAL)

On 01.04.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.63 dated 31.05.2023 registered under Sections 21(b) (Act No.61 of 1985) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, ‘the NDPS Act’) (Section 29 of the NDPS Act added later on) at Police Station Jhabal, District Tarn Taran.

As per the allegations, 20 grams of heroin was recovered from the possession of co-accused Gurpal Singh on 31.05.2023. In his disclosure statement, said Gurpal Singh nominated the petitioner – Arshdeep Singh to be the supplier.

Contention of learned counsel is that the petitioner has been falsely implicated on the basis of disclosure statement of co-accused, which is inadmissible; that he is not involved in any such case and that he is ready to join the investigation.

Notice of motion.

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

Adjourned to 09.05.2024.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

Today learned State counsel, on instructions from ASI Sukhdev Raj submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 01.04.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

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.

09.05.2024

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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned Yes/No

Whether Reportable Yes/No