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

**CRM-M-16529-2024 (O&M)
Date of decision : 08.05.2024**

Jagtar Singh @ Subba

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Chandan Singh Rana, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr.DAG, Punjab.

Mr. Vikrant Pujara, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.84 dated 31.05.2023, under Section 304 of the Indian Penal Code, 1860, registered at Police Station Sidhwan Bet, District Ludhiana (Rural).

2. Allegations are that deceased-Jaswinder Singh @ Bittu used to purchase Heroin from the petitioner and other co-accused, but instead of Heroin, they supplied some chemical drug and said Jaswinder Singh died after consuming the same.

3. Reply filed by way of affidavit dated 08.05.2024 of Mr. Jasjyot Singh, PPS, Deputy Superintendent of Police, Jagraon, District



Ludhiana (Rural) is taken on record. Copy thereof supplied to the other side.

Registry to do the needful.

4. Contends that this Court granted interim bail to petitioner on 04.04.2024 and in terms thereof, he has already joined the investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. Heard learned counsel for the parties and perused the paper-book.

7. It is an admitted position that petitioner was granted interim bail by this Court on 04.04.2024 and relevant part of the same is recapitulated as under:-

“Contends inter alia that matter has been amicably settled between the parties i.e. petitioner and the complainant. Notice of motion.

On the asking of the Court, Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent-State and seeks time to have instructions and/or file short affidavit in the matter.

Mr. Vikrant Pujara, Advocate appears on behalf of the complainant and acknowledges the factum of compromise.

Posted for 08.05.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

To be heard along with CRM-M-3117-2024.”



8. It is acknowledged by learned State counsel that in pursuance of above order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.
9. In view of above, interim order dated 04.04.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
10. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
11. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
12. Disposed off accordingly.
13. Pending application(s), if any, shall also stand disposed off.

08.05.2024

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No