

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-18300-2024 (O&M)
Date of Decision:- 09.05.2024

MALKEET SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gurpal Singh Sandhu, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

Short reply dated 09.05.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub Division Gidderbaha, District Sri Muktsar Sahib is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
33	19.03.2024	15(B) and 8-B of the NDPS Act	Kotbhai, District Sri Muktsar Sahib

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 16.04.2024 passed by this Court, the petitioner



has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

4. Learned State counsel, on instructions from ASI Hardeep Singh has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

5. Heard.

6. During the course of hearing on 16.04.2024 the following order was passed:-

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case on the pretext that 04 kg of green poppy plants were found from the courtyard of his house contained in a plastic bag. He contends that the petitioner is a young boy having no criminal antecedents and is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Harpreet Singh, Addl. AG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from ASI Sukhpal Singh, P.S. Kotbhai, District Sri Muktsar Sahib, submits that there is no previous criminal case registered against the petitioner and further submits that recovery has already been effected from the garden of the house of the petitioner and at that time none of the family members were present in the house. He prays for time to file the status report/reply in the matter.

5. Adjourned to 09.05.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, 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.”



7. 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 16.04.2024 passed by this Court, interim bail granted vide order dated 16.04.2024 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.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

09.05.2024
S.Sharma(syr)

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