



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-18745-2024(O&M)
Date of Decision:- 09.05.2024

HARMAN SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Manjot Kaur, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

Status report dated 09.05.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division Mansa, District Mansa 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 as under:

FIR No.	Dated	Sections	Police Station
10	01.02.2024	21(b) and 29 of the NDPS Act	Joga, District Mansa

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 19.04.2024 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 SI Dilbag Singh of the case 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 19.04.2024 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 basis of alleged disclosure statement made by the co-accused, namely Akashdeep Singh @ Akash, who was apprehended by the police in the instant FIR and the recovery of non commercial quantity of heroin, i.e. 50 grams, was effected from him. He further contends that the petitioner has no concern whatsoever with the alleged transaction.

3 Learned counsel for the petitioner contends that although the petitioner was involved in one more case but he was on bail in the said case and is ready to join investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from H.C. Balwinder Singh, intimates that the petitioner has been nominated on the basis of disclosure statement of the co-accused, namely Akashdeep Singh @ Akash only. He prays for time to file the status report/reply in the matter.

6. Adjourned to 09.05.2024.

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

8. 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 19.04.2024 passed by this Court, interim bail granted vide order dated 19.04.2024 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 |