



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

213

CRM-M-20122-2024
Date of Decision: 24.07.2024

BALJIT SINGHPetitioner
versus
STATE OF PUNJABRespondent

CORAM: HON’BLE MR. JUSTICE GURBIR SINGH

Present:- Ms. Gurpreet Kaur, Advocate, for
Mr. L.S. Sekhon, Advocate,
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

GURBIR SINGH, J.(Oral)

1. This is the first petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.124 dated 23.03.2024 under Sections 20, 21 and 29 of NDPS Act registered at Police Station City Barnala, District Barnala.
2. Vide order dated 24.04.2024, this Court had granted interim bail to the petitioner and directed him to join investigation. The same is reproduced as under:-

“ Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.124 dated 23.03.2024 registered under Sections 20, 21, 29 of NDPS Act at Police Station City Barnala, District Barnala.

2024:PHHC:093238



CRM-M-20122-2024

-2-

Counsel for the petitioner submits that FIR in this case was registered against Satnam Singh from whom police is stated to have recovered 20 grams of heroin and subsequently one Mangli resident of Badhni Kalan (District Moga) was nominated as accused and thereafter police raided house of the present petitioner but at that time petitioner was not present at his house but he is apprehending his arrest. Counsel for the petitioner further submits that aforesaid recovery of heroin comes under non-commercial quantity and is not covered under rigors of Section 37 of NDPS Act and further the petitioner is having no criminal history under NDPS Act and is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on instructions from SI Dharampal submits that present petitioner Baljit Singh is also known by name of Mangli and is nominated as accused on the basis of disclosure statement of co-accused Satnam Singh from whom police recovered 20 grams of heroin on 23.03.2024. However, State counsel has not disputed the fact that aforesaid recovery comes under non-commercial quantity and further petitioner is having no criminal antecedents under NDPS Act.

The admissibility and relevance of the alleged disclosure statement made by co-accused against the present petitioner is a subject matter of trial.

Now be listed on 24.07.2024.

In the meantime, in case of arrest, the petitioner is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner should join the investigation with the police well in time before the next date of hearing and is to abide by the conditions as envisaged under Section 438(2) of Cr.P.C.”

3. Learned State counsel on instructions from HC Rajwinder Singh submits that in compliance of order dated 24.04.2024, petitioner has joined investigation and he is not required for any custodial interrogation.



CRM-M-20122-2024

-3-

4. I have heard learned counsel for the parties.
5. In view of the fact that the petitioner has joined investigation and his custodial interrogation is not required, the order dated 24.04.2024 granting interim bail to the petitioner is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.
6. Petition stands disposed of accordingly.

24.07.2024
Jyoti Thakur

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No