



CRM-M-21519-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M- 21519-2024
Date of decision: 22.08.2024

Lovepreet Singh @ LabhaPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Amandeep Singh Jawandha, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

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SANJIV BERRY, J. (ORAL)

Status report dated 16.05.2024 filed in the form of affidavit of Deputy Superintendent of Police Sub-Division Jandiala, District Amritsar (Rural), 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 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
0013	21.03.2024	21 and 29 of the NDPS Act	Tarsikka, Police District Amritsar Rural, District Amritsar



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3. Learned counsel for the petitioner submits that in compliance to the order dated 01.05.2024, the petitioner has joined the investigation.

4. During the course of hearing on 01.05.2024, following order has been passed: -

‘2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has no concern with the alleged offence, as mentioned in the FIR (*supra*) but has been nominated on the basis of alleged disclosure statement of the co-accused, namely Karanbir Singh, who was apprehended by the police at the spot and from whom recovery of 08 grams of heroin was allegedly effected. He contends that the petitioner has no concern with the alleged transaction and is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and has not disputed the factual matrix of the case. He prays for time to file the status report/reply in the matter.

5. Adjourned to 16.05.2024.

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..’

5. Learned State counsel on instructions from ASI Pargat Singh, informs the Court that the petitioner has joined the investigation



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and is neither required for further investigation nor for any custodial interrogation.

6. 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 01.05.2024 passed by this Court, interim bail granted vide order dated 01.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). 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.

7. The petition stands allowed.

8. It is further made clear that in case the petitioner is found involved in any case under the NDPS Act, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with the law and that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

22.08.2024
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(SANJIV BERRY)
JUDGE

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