



CRM-M-21510-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21510-2024

Date of decision : May 23, 2024

Amrinder Singh alias Minda

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Atul Goyal, Advocate, for the petitioner
Mr. Akshay Kumar, AAG, Punjab

KULDEEP TIWARI, J. (ORAL)

1. On 1.5.2024, this Court passed the following order:-

"1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.31 dated 11.04.2024, under Sections 21, 25, 29 of the N.D.P.S. Act, 1985, registered at P.S. Sadar Raikot, District Ludhiana (Rural).

2. The learned counsel for the petitioner submits that, although the name of the petitioner is reflected in the present FIR, however, it has been so reflected only on the basis of a secret information, whereas, neither the alleged recovery of 5.5 grams heroin was effected from him, nor he was arrested at the spot. In fact, the alleged recovery of heroin was effected from petitioner's co-accused, namely, Gurpreet Singh @ Gopi and Harinder Singh.



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Except the secret information, the investigating agency is not seized of any incriminatory material against the petitioner.

3. Lastly, the learned counsel for the petitioner submits that the petitioner is not involved in any other case under the N.D.P.S. Act, however, two cases under the Indian Penal Code have been registered against him.

4. Notice of motion for 23.05.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

2. Today, the learned State counsel on instructions imparted to him by HC Kunwar Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial interrogation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 1.5.2024 is, hereby, made absolute subject to the condition that the petitioner



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shall abide by the conditions as envisaged under Section 438(2)
Cr.PC.

May 23, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ?	Yes/No
Whether Reportable ?	Yes/No