



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-23060-2024 (O&M)
Date of Decision:- 25.07.2024

PAWAN

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Govind Chauhan, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, DAG Haryana.

SANJIV BERRY, J. (ORAL)

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
40	08.03.2024	21(b) of the NDPS Act	Civil Lines Gurgaon, District Gurugram

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 08.05.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.



3. 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.

4. Heard.

5. During the course of hearing on 08.05.2024, the following order was passed:-

“ Ld. Counsel for the petitioner inter alia contends that it is a case of no recovery from the petitioner and he has been nominated on the basis of disclosure made by Satyawan from whom 13 grams of heroin was recovered. He further relies upon Tofan Singh vs. State of Tamil Nadu, (2021) 4 SCC 1 to submit that the confession made by the co-accused while in police custody cannot solely drive home the guilt of the petitioner.

Issue notice of motion, returnable for 25.07.2024.

Mr. Gaurav Bansal, DAG, Haryana appears and accepts notice on behalf of the respondent/State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C. ”

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 08.05.2024 passed by this Court, interim bail granted vide order dated 08.05.2024 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

25.07.2024
S.Sharma(syr)

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