

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-23382-2024
Date of decision: 28.05.2024

RAI SINGH....PETITIONER

Versus

STATE OF PUNJAB...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. A.S. Dhindsa, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG, Punjab.

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	Section	Police Station
30	10.04.2024	22 and 29 of the NDPS Act,	Dirba, District Sangrur.

2.

Learned counsel for the petitioner submits that in compliance to the order dated 23.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 23.05.2024.
3.

Learned State counsel on instructions from ASI Balkar Singh intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.
4.

During the course of hearing on 23.05.2024, following order was passed:



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“Status report dated 21.05.2024 filed in the form of an affidavit of Deputy Superintendent of Police, (Detective), Sangrur is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Heard.

3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner along with one Sandeep Singh have not been named in the FIR and have been nominated in the alleged disclosure statement made by co-accused Bara Singh from whom recovery of 600 intoxicant tablets containing Tramadol was effected by the Police in the instant case. He submits that the petitioner is having no concern with the alleged recovery. He further submits that the co-accused Sandeep Singh has already been granted the concession of interim bail vide order dated 08.05.2024 passed in CRM-M-22958-2024 and the petitioner is at same footing. He submits that the petitioner is not having any criminal antecedents and he is ready to join investigation.

4. Per contra, learned State counsel submits that custodial interrogation of the petitioner is required. However, he has not disputed that the case of the petitioner is at par with that of co-accused Sandeep Singh.

5. List on 28.05.2024.

6. In the meanwhile, the petitioner is hereby directed to join investigation within 03 days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall 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. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation



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consequent to the order dated 23.05.2024 passed by this Court, interim bail granted vide order dated 23.05.2024 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.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

28.05.2024*S.Sharma (syr)*

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