

2024:PHHC:103445



**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

206

CRM-M-25464-2024 (O&M)

Date of decision: 12.08.2024

Balwinder Singh @ Bindri and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Lakshay Bector, Advocate
for the petitioners.

Mr. A. S. Samra, AAG, Punjab.

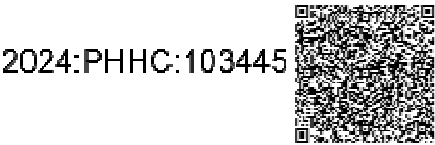
MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in case FIR No.57 dated 22.03.2024, registered under Sections 15 and 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Samrala, Police District Khanna, District Ludhiana

2. Vide order dated 20.05.2024, passed by this Court, the petitioners were released on interim bail and were directed to join investigation. Order dated 20.05.2024, passed by this Court, reads as under:

“...As per prosecution allegations, secret information was received against the petitioners to the effect that they indulged in the sale of intoxicants. On conducting the raid, 1.8 kg of poppy husk was recovered from the house of the petitioners.

Learned counsel contends that the petitioners have been falsely implicated; that the alleged contraband was recovered in the absence of the petitioners; that the said quantity of



contraband falls in the non-commercial category and that they are ready to join the investigation.

Notice of motion.

Mr. Vinay Kumar Malhotra, DAG, Punjab, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Adjourned to 12.08.2024 for filing status report.

In the meantime, in case of their arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioners shall join the investigation as and when so required by the Investigating Officer. They shall not contact any person associated with the case to dissuade them from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. They shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioners have joined investigation and they are not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 20.05.2024, granting interim bail to the petitioners, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

12.08.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No