

CRM-M-26718-2024 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-26718-2024
Date of decision: 31.07.2024

KULWINDER SINGHPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.
.....

SANJIV BERRY, J. (ORAL)

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
158	11.11.2022	21 and (21(C), 27-A, (29 added later on) of the NDPS Act	Sultanwind, District Police Commissionerate, Amritsar

2. Learned counsel for the petitioner submits that in compliance
to the order dated 04.07.2024, the petitioner has joined the investigation.
3. During the course of hearing on 04.07.2024, following order
had been passed: -

“ Status report dated 31.06.2024 in the form of an
affidavit of Assistant Commissioner of Police,
(Detective), Amritsar, has been filed. The same is taken



on record. Copy thereof has been supplied to learned counsel for the petitioner.

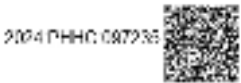
2. *Heard.*

3. *It is inter alia contended by learned counsel for the petitioner that the petitioner has nothing to do with the alleged transaction and has been falsely implicated in this case. He further contends that the petitioner is not named in the FIR but nominated on the basis of alleged disclosure statement of accused Sukhchain Singh and Balwinder Singh who were apprehended and from whose possession contraband had been recovered. He has disputed the genuineness of the alleged disclosure statement by submitting that the petitioner has no concern whatsoever with the said accused.*

4. *Learned counsel for the petitioner further submits that although the petitioner has one more case registered against him but he is on bail therein.*

5. *Learned State counsel on instructions from ASI Rupinder Singh submits that apart from the disclosure statement (Annexure R-1) annexed with the reply, there is no further evidence to connect the petitioner with the alleged contraband.*

6. *Be it as the case may be. The petitioner is directed to join the 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.*



7. *List on 26.07.2024”*

4. Learned State counsel on instructions from ASI Anil Kumar informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. 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 04.07.2024 passed by this Court, interim bail granted vide order dated 04.07.2024 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.

31.07.2024
puneet

(SANJIV BERRY)
JUDGE

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