



CRM-M-29624-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-29624-2024
Date of decision: 31.07.2024

GAURAV GHAIPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

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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
18	14.04.2024	21(b), 25, 27-A and 29 of NDPS Act, 1985.	Arif ke, Ferozepur

2. Learned counsel for the petitioner submits that in compliance to the order dated 09.07.2024, the petitioner has joined the investigation.
3. During the course of hearing on 09.07.2024, following order had been passed: -

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not



having any criminal antecedents. He contends that, in fact, one Karamjit Singh was arrested by the police and from his possession 220 grams of heroin was recovered. He submits that the said Karamjit Singh, who happens to be the friend of the petitioner's brother-in-law, took the car of the petitioner, on the pretext of taking his ailing mother to hospital. The police has nominated the petitioner on the basis of alleged disclosure statement of Karamjit Singh and also because of the fact that he happens to be the owner of the vehicle in question.

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from ASI Vann Singh, admits the factual matrix of the case. He seeks time to file reply in the matter.*

5. *Adjourned to 31.07.2024.*

6. *Needful be done well before the date fixed with an advance copy to the counsel opposite. 7. In the meanwhile, the petitioner is hereby directed to join 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.*

4. Learned State counsel on instructions from ASI Gurcharan Singh informs the Court that the petitioner has joined the investigation and



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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 09.07.2024 passed by this Court, interim bail granted vide order dated 09.07.2024 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
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(SANJIV BERRY)
JUDGE

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