



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-30580-2024

Date of decision: 22.10.2024

Surmukh Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Aman Deep Saini, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.58 dated 09.04.2024 under Sections 15, 29 of the NDPS Act, registered at Police Station Special Task Force Mohali, District STF Wing.

2. On 16.07.2024, while noticing the following submissions made by the learned State counsel, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned State counsel, on instructions from S.I. Hakam Singh, has not disputed the following submissions made by the learned counsel for the petitioner on 26.06.2024:-

“Learned counsel for the petitioner inter alia contends that the petitioner has clean antecedents and he came to be nominated as an accused on the basis of disclosure statement allegedly suffered by co-accused Balwinder Singh @ Binder qua whom a secret information has been received that he is involved in the sale and purchase of poppy husk.



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Learned counsel submits that even otherwise in the disclosure statement the only role attributed to the petitioner was that he was planning to purchase poppy husk from the co-accused Balwinder Singh.”

On a further query put to the learned State counsel, he on instructions, has also not disputed that the petitioner is not involved in any other criminal case much less under the NDPS Act.”

3. Learned counsel for the petitioner submits that in compliance of order dated 16.07.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 16.07.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

22.10.2024

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**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No