



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-33683-2024
Date of decision: 05.12.2024

SUKHCHAIN SINGH

....PETITIONER

Versus

STATE OF PUNJAB

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

1. Status report dated 24.11.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division, Ajnala, Amritsar (Rural) is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 438 of Cr.P.C., petitioner seeks anticipatory bail in case FIR as under:

2. Arguments heard.

3. By way of present petition filed under Section 438 of Cr.P.C., petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
121	22.06.2024	22, 27A of NDPS (29 of NDPS added later on)	Ajnala, District Amritsar Rural

4. Learned counsel for the petitioner submits that in compliance to the order dated 17.07.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 17.07.2024.



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5. Learned State counsel intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

6. During the course of hearing on 17.07.2024, following order was passed:

“This petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.121 dated 22.06.2024 under Sections 22, 27A (later on added Section 29) of NDPS registered at police station Ajnala, District Amritsar Rural.

As per allegations, FIR got registered on 22.06.2024 against Major Singh and Joga Singh and 1010 intoxicant tablets and Rs. 8810/- cash was recovered. During the course of investigation, Major Singh suffered a disclosure statement and disclosed the name of the petitioner before the Investigating Officer.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He has only been nominated on the basis of disclosure statement of Major Singh. He further submits that alleged recovery of 1010 intoxicant tablets from the co-accused Major Singh. No recovery has been effected from the petitioner. The petitioner is ready to join investigation and to cooperate with the investigating agency.

Notice of motion.

Mr. Rajinder Singh Bhatta, DAG, Punjab who is present in Court appears and accepts notice on behalf of the respondent-State. He seeks some time to file status report. A copy of the paper book be supplied to him during the course of the day. He further submits that FSL report has not been received yet.



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Adjourned to 25.11.2024.

In the meantime, petitioner is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite. ”

7. 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 17.07.2024 passed by this Court, interim bail granted vide order dated 17.07.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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.



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- 8. The petition stands allowed.
- 9. 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

05.12.2024

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