



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

232

CRM-M-36334-2024 (O&M)
Date of Decision:- 21.08.2024

PRIYA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Shivani, Advocate for the petitioner.
Mr. Japjot Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
97	28.04.2024	22 of NDPS Act; (29 NDPS Act added later on)	Dasuya, District Hoshiarpur

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 31.07.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

3. Learned State counsel, on instructions received from ASI Ravinder has intimated that the petitioner has joined investigation and is no



more required for any custodial investigation in this case nor she is required for further investigation.

4. Heard.

5. During the course of hearing on 31.07.2024, the following order was passed:-

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent lady having no concern whatsoever with the alleged transaction and has been nominated on the basis of alleged disclosure statement made by co-accused Sunil Kumar who was allegedly apprehended by the police and shown to be keeping in his possession 95 grams of intoxicant powder. She further contends that the said Sunil Kumar happens to be the husband of the petitioner. Even earlier also, the petitioner was nominated in one case wherein she was released on bail and no recovery of contraband was effected from her. She contends that the police is unnecessarily harassing the petitioner and is ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Adesh Pal Singh, AAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from ASI Ravinder Singh, Investigating officer of the case, has not disputed the factual matrix that earlier also the petitioner was nominated in one other case but no recovery was effected therein. He prays for time to file the status report/reply in the matter.

5. Adjourned to 21.08.2024.

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 her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

6. 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 31.07.2024 passed by this Court, interim bail granted vide order dated 31.07.2024 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; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

21.08.2024
S.Sharma(syr)

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