

4. During the course of hearing on 11.08.2023, following order was passed:

“Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in:

FIR No.	Dated	Police Station	Section
109	06.05.2023	City Kapurthala, District Kapurthala	15,18 and 29 of NDPS Act, 1985

Counsel for the petitioner contends that the petitioner has been arraigned as an accused on the basis of a confessional statement made by coaccused namely Baldev Singh @ Deba from whose vehicle, recovery of 2 kg 500 grams of opium and 60 kg of poppy husk was made. He asserts that disclosure statement was made by co-accused, on 08.05.2023, which is inadmissible in evidence. Still further, he submits that petitioner, who has clean antecedents, is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 19.10.2023.

Petitioner is directed to appear before the Investigating Officer on 31.08.2023 at 10.00 A.M. at Police Station City Kapurthala, District Kapurthala, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

5. Keeping in view the respective submissions made by learned State counsel and considering the fact that the petitioner had already joined the investigation and is no more required for further investigation nor he is required for any custodial interrogation, interim bail granted vide order dated 11.08.2023 is hereby confirmed. 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.

(SANJIV BERRY)
JUDGE

01.03.2024

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