

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-37584-2024
Date of decision: 02.12.2024

GORAVPETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Manoj R. Sharma, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

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
83	16.06.2024	304, 120-B of IPC	Dinanagar, District Gurdaspur.

2. Learned counsel for the petitioner submits that in compliance to the order dated 05.08.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 05.08.2024.

3. Learned State counsel, on instructions from SI Mohan Lal, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 05.08.2024, following order was passed:

“As per allegations, three dead bodies were recovered from the village Deeda Sansian, Police Station Dinanagar on 13.06.2024 and the said persons had died due to consumption of drugs. The FIR has been registered against the petitioner and



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other persons, against whom there is suspicion that they had supplied the drugs to them. Learned counsel for the petitioner submits that the allegations are false and frivolous. The FIR has been registered on assumption and presumption. There is no specific proof and evidence against the petitioner to link him with the alleged evidence. The petitioner is involved only because he was from the village Deeda Sansian.

Notice of motion for 02.12.2024.

Ms. Manjot Kaur, AAG, Punjab appears and accepts notice on behalf of the respondent-State. She seeks some time to file status report. A copy of the paper book be supplied to her during the course of the day.

Keeping in view that the allegations are general in nature, the petitioner is directed to join the 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 and surety 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.”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation

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consequent to the order dated 05.08.2024 passed by this Court, interim bail granted vide order dated 05.08.2024 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.

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

02.12.2024

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- i) Whether speaking/reasoned?

Yes/No
- ii) Whether reportable?

Yes/No