

CRM-M-38748-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-38748-2024
Date of decision: 31.08.2024

GURPREET SINGH
....Petitioner

Versus

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Gagandeep Kaur, Advocate for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG Punjab.
.....

SANJIV BERRY, J. (ORAL)

Status report dated 31.08.2024 in the form of an affidavit of Deputy Superintendent of Police, Sub Division Tapa, District Barnala, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 BNSS, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
34	10.04.2024	22 of NDPS Act (29 NDPS Act added later on)	Bhadaur, District Barnala

3. Learned counsel for the petitioner submits that in compliance to the order dated 09.08.2024, the petitioner has joined the investigation.

4. During the course of hearing on 09.08.2024, following order had been passed: -



“2. *Learned counsel for the petitioner, inter alia, contends that the petitioner, aged about 19 years, having no criminal antecedents, is innocent and has no concern whatsoever with the alleged transaction. She submits that the petitioner has been nominated on the basis of interrogation of co-accused Bobby Singh. She further submits that the learned trial Court has wrongly mentioned that the petitioner is facing 2 more cases, however, the petitioner has never indulged in any such activities and is ready to join investigation.*

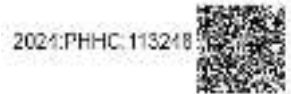
3. *Notice of motion.*

4. *On the asking of the Court, Mr. Adesh Pal Singh, AAG Punjab present in Court, accepts notice on behalf of the respondent-State and on instructions from ASI Gurmej Singh submits that the petitioner has been nominated on the basis of interrogation of co-accused Bobby Singh, however, admits that there is no such disclosure statement on record. The concerned ASI further admits that there is no other criminal case registered against the petitioner. However, learned State counsel seeks a short adjournment to file status report/reply in the matter.*

5. *Be filed on or before next date of hearing with an advance copy to the counsel opposite, failing which the concerned Deputy Superintendent of Police, shall remain present in Court on the next date of hearing. 5. Adjourned to 31.08.2024.*

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 co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing*



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personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

5. Learned State counsel on instructions received from Investigating Officer of the case informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

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 09.08.2024 passed by this Court, interim bail granted vide order dated 09.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. 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.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

31.08.2024
puneet

(SANJIV BERRY)
JUDGE

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