



CRM-M-41706-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216)

CRM-M-41706-2024
Date of Decision : 03.10.2024

Sourav Dung ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON’BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Harpreet Singh Multani, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. This Court, on dated 28.08.2024, had passed the hereinafter
extracted order, upon the instant petition:-

- “1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner, who claims to have clean antecedents, seeks the concession of anticipatory bail, in case FIR No.184 dated 10.12.2023, under Sections 21/25/29 of the N.D.P.S. Act, and, Section 25 of the Arms Act, registered at P.S. Model Town, Ludhiana.*
- 2. The learned counsel for the petitioner submits that, the only piece of evidence, which constitutes the bedrock for the investigating agency to arrest the petitioner, is the disclosure statement of co-accused. Except the disclosure statement, there is no other cogent evidence on record to connect the petitioner with the alleged crime. Moreover, the contraband, as allegedly recovered in the present case, falls within “non commercial quantity”.*
- 3. Notice of motion for 03.10.2024.*



4. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

5. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

2. Today, the learned State counsel, on instructions imparted to him by ASI Gurmeet Singh, stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined the investigation, fully cooperated and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 28.08.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “**blanket**” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say, that anything observed hereinabove, shall not be construed to be an expression of opinion, on the merits of the case.

(KULDEEP TIWARI)
JUDGE

October 03, 2024
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No