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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41956-2024

Date of Decision:- 08.11.2024

GURPAL ALIAS PALA

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Mohit Giri, Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.100 dated 02.09.2023 under Sections 21 (b), 22, 29 of NDPS Act, 1985 and Sections 379/411 IPC registered at Police Station Nakodar, District Jalandhar Rural.

2. Learned counsel for petitioner argued that he was granted interim bail vide order dated 29.08.2024 which runs as under:-

"Petitioner has filed instant petition for grant of pre-arrest bail in FIR No.100 dated 02.09.2023 under Sections 21 (b), 22, 29 of NDPS Act, 1985 and Sections 379/411 of IPC, registered at Police Station Nakodar, District Jalandhar Rural.

Learned counsel for petitioner argued that present petitioner is named by co-accused Jagroop Singh from whose possession alleged 50 grams heroin was recovered and in his disclosure statement he claimed that 30 grams heroin was meant for the present petitioner. Petitioner has denied allegations. He pointed out that no offence is made out. He is ready to join the investigation.

Notice of motion.

On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of State. He seeks an adjournment to file status report.

Adjourned to 25.10.2024.

Considering the factual position, in the meantime, arrest of petitioner is stayed subject to joining of investigation.”

3. He further argued that in compliance to the aforesaid order, he has already joined the investigation and fully cooperated. No recovery is to be effected from him. Therefore, interim bail granted in his favour may be confirmed.

4. Status report is filed in which it is confirmed that petitioner joined investigation on 18.10.2024. It is averred that as many as 13 FIRs, as detailed in para No.7 of status report, are registered against the petitioner.

5. It is a case of no recovery from him. Since petitioner has already joined the investigation, therefore, he is not required for any other purpose. He is under trial in four other FIRs which will be decided on its own merits. He is still ready to abide by the terms and conditions of bail order, therefore, interim bail granted in favour of the petitioner vide order

dated 29.08.2024 stands confirmed subject to the conditions detailed under
Section 482 (2) of BNSS.

6. Petition is disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

08.11.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No