

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M-48674-2023

Date of Decision:09.01.2024

GAUTAM

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vaishali Thakur, Advocate
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab
assisted by ASI Gurmeet Singh.

DEEPAK GUPTA, J.(ORAL)

On 04.10.2023, following order was passed:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C. in case FIR No.0068 dated 20.04.2023 registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1984, registered at Police Station Cantonment, District Police Commissionerate Amritsar.

As per prosecution allegations, 60 gms of Heroin was recovered from the possession of co-accused namely Lovepreet Singh who in his disclosure statement stated that he alongwith petitioner used to purchase the contraband from Jagdeep Singh.

It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present FIR; the recovered quantity of the contraband from the co-accused is non-commercial in nature; case is dependent upon disclosure statement of co-accused which is inadmissible; petitioner is ready and willing to join investigation and abide by any condition imposed by this Court.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of respondent-State.

Adjourned to 09.01.2024. for filing status report.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Today learned State counsel, on instructions from ASI Gurmeet Singh, submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 04.10.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

09.01.2024

pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No