



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47449-2024
Date of decision: 11.11.2024

RajaPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Divya Gulati, Advocate,
for the petitioner.

Ms. Seena Sandhu, Addl. AG, Punjab.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C,
the petitioner seek anticipatory bail in case FIR (Annexure P-1) as
under: -

FIR No.	Dated	Sections	Police Station
8	25.01.2024	21(b), 61, (29 added lateron) of the NDPS Act	Majitha Road, District Amritsar

2. Learned counsel for the petitioner submits that in compliance to the order dated 16.10.2024, the petitioner has joined the investigation.

3. During the course of hearing on 16.10.2024, following order has been passed: -



'Status report dated 15.10.2024 filed in the form of an affidavit of Assistant Commissioner of Police, North Amritsar (additional charge), is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

Heard.

Learned counsel for the petitioner inter alia contends that the petitioner is innocent having no concern with the alleged transaction but has been falsely implicated in this case on the basis of alleged disclosure statement made by co-accused Jagjit Singh @ Jagga from whom recovery of 50 grams of heroin was effected. She contends that although the petitioner is having one more case registered against him but he is on bail therein and is ready to join investigation.

Per contra, learned State counsel while referring to the status report submitted by the State has opposed the bail petition by arguing that the petitioner is nominated on the basis of disclosure statement of co-accused Jagjit Singh @ Jagga from whom recovery of contraband was effected. However, on instructions from ASI Pargat Singh, he has not disputed the fact that except for the disclosure statement there is nothing on record to substantiate the allegations.

In these circumstances, without commenting on the merits of the case, 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 personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.

List on 11.11.2024.'

4. Learned State counsel on instructions received from H.C. Jasbir Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. 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 16.10.2024 passed by this Court, interim bail granted vide order dated 16.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (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.

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

11.11.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |