



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47593-2024
Date of decision: 19.11.2024

GURDEEP SINGHPETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Kuldeep Singh Siwach, Advocate for the petitioner.
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
185	18.07.2024	21-B of NDPS Act and 27-A of NDPS added later on.	Sadar Ratia, District Fatehabad.

2. Learned counsel for the petitioner submits that in compliance to the order dated 22.10.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 22.10.2024.
3. Learned State counsel, on instructions from ASI Amit Kumar, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.
4. During the course of hearing on 22.10.2024, following order was passed:



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“ Heard.

Learned counsel for the petitioner inter alia contends that the petitioner is not involved in the alleged transaction although he is having 5 other cases registered against him, the last one being registered in the year 2020, and he is on bail therein. He contends that the name of the petitioner did not surface in the FIR nor any recovery is to be effected from him but has been nominated on the alleged disclosure statement of co-accused Prem Singh from whom recovery of 15.50 grams of heroin was effected. He submits that the petitioner has no concern with the said Prem Singh and is ready to join the investigation.

Learned State counsel on instructions from ASI Amit Kumar submits that the petitioner has been nominated in the disclosure statement of co-accused Prem Singh.

On a query put to the Investigating Officer of the case, he has admitted that except for the disclosure statement, there is no other evidence to substantiate the allegation against the petitioner.

Be it the case, 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 19.11.2024.”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation



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consequent to the order dated 22.10.2024 passed by this Court, interim bail granted vide order dated 22.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioners 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

19.11.2024
kanika

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No