

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-52084-2023
Date of decision: 19.01.2024

SUKHMANDER SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

On the last date of hearing i.e on 13.10.2023 the following order was
passed:-

"Learned counsel for the petitioner has submitted that the name of the petitioner was nominated on the basis of disclosure statement of a co accused from whom there was a recovery of only 1 kg. of opium which does not fall in the category of commercial quantity. He further submitted that in fact the person on whose disclosure statement the name of the petitioner was nominated is in close relation of the political enemies of the petitioner against whom he had made complaint much prior to the lodging of the present FIR and it was only because of personal enmity that the name of the petitioner has been dragged into the present case. He submitted that even otherwise also the petitioner is of the age of 64 years and there is no bar under Section 37 of the NDPS Act in the present case. He has also submitted that the petitioner is not involved in any other case. However, in the year 2016, he was convicted in one case under the NDPS Act.

Notice of motion.

Mr. Ramdeep Partap Singh, Senior DAG, Punjab, accepts notice on behalf of the State of Punjab.

Adjourned to 19.01.2024.

In the meantime, the petitioner is directed to join the investigation and to co-operate fully with the investigation process and on his doing so, 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 continue to 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."

Learned counsel for the petitioner submits that in pursuance of the order dated 13.10.2023, the petitioner has joined the investigation.

Learned State counsel on instructions, imparted to him by ASI Navdeep Singh, submits that the petitioner has joined the investigation and he is not required for any further custodial interrogation.

In view of the statement made by learned State counsel, the interim order dated 13.10.2023, is hereby made absolute.

It is made clear that in case the petitioner is involved in any kind of similar offence in future, the State is at liberty to re-access this Court for cancellation of the relief of anticipatory bail granted to the petitioner.

19.01.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No