



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-50784-2024**

**Date of Decision : 11.12.2024**

**GAUTAM @ GOUTM**

.....Petitioner(s)

**VERSUS**

**STATE OF PUNJAB**

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. P.S.Sekhon, Advocate,  
for the petitioner(s).

Ms. Majot Kaur, AAG, Punjab.

**KULDEEP TIWARI, J.(Oral)**

1. On 09.10.2024, a co-ordinate bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.61 dated 13.05.2024, registered at Police Station Urban Estate Patiala, District Patiala, under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

As per allegations, 150 grams of heroin, which falls in non- commercial category was recovered from the possession of co-accused Gurmit Singh @ Cheetla and Harmel Kaur @ Helo, while travelling in a Swift car. In the disclosure statement, said Gurmit Singh and Harmel Kaur nominated the petitioner to be the supplier. Apart from the petitioner, one Rajwinder Singh was nominated as purchaser.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that there is no material against the petitioner except the disclosure statement; that similarly placed co-accused Rajwinder Singh has already been granted the benefit of interim anticipatory bail by this Court vide order dated 24.07.2024 passed in CRM- M-35006-2024 (Annexure P-2)

Notice of motion.

Mr. Rajeev K. Takkar, DAG, Punjab accepts notice on behalf of the respondent-State, who is assisted by ASI Kuldeep Singh. A copy of paper book be supplied to him during the course of day.

Adjourned to 11.12.2024 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case.

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 438(2) Cr.P.C”

2. Today, learned State counsel, has also filed a status report, dated 10.12.2024, by way of an affidavit of Sh.Manoj Gors, DSP, City-II, District Patiala, in court, which is ordered to be taken on record.

3. She further, on instructions imparted to her by the police official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

4. In view of the above, the hereinabove extracted interim order dated 09.10.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

5. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

7. All pending application(s), if any, also stand **disposed** of accordingly.

December 11, 2024

*dharamvir*

(KULDEEP TIWARI)  
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No