

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-64848-2023

Date of Decision:02.04.2024

AMAR SINGH

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Neeraj Sharma, Advocate for
Mr. Tarun Sharma, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Jatinder.

DEEPAK GUPTA, J.(ORAL)

On 22.12.2023, following order was passed:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.0062 dated 18.10.2023 registered under Sections 21, 22 of NDPS Act (Section 29 of NDPS Act added later on) registered at Police Station Fatehgarh Panjtoor, District Moga.

As per the prosecution allegations, 23 loose intoxicating tablets and 60 grams of heroin, carried in a transparent polythene bag were recovered from co-accused Manpreet Singh. It is alleged that said Manpreet Singh nominated the petitioner to be the supplier and then Section 29 of the NDPS Act was added.

Learned counsel contends that petitioner has been falsely implicated on the basis of disclosure statement of co-accused which is not admissible; that petitioner has never been involved in any such case and has no criminal antecedents and that he is ready to join the investigation.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of respondent- State.

Learned State counsel, on instructions from ASI Gurmender

Singh, concedes the fact that petitioner is not involved in any other case.

Adjourned to 18.03.2024.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from ASI Jatinder 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 22.12.2023 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.

02.04.2024

pry

(DEEPAK GUPTA)
JUDGE

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