



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-40794-2024
Date of decision: 09.01.2025

HARDYAL SINGH ALIAS HEERAPETITIONER

Versus

STATE OF PUNJABRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ruhani Chadha, Advocate for the petitioner
(through Video Conferencing).

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
63	30.06.2024	21 (c) and 27 (a) of Narcotic Drugs and Psychotropic Substance Act, 1985 and Section 29 of NDPS Act added later on.	Sadar Patti, District Tarn Taran.

2. Learned counsel for the petitioner submits that in compliance to the order dated 22.08.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 22.08.2024.

3. Learned State counsel, on instructions from ASI Gurdial Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



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4. During the course of hearing on 22.08.2024, following order was passed:

“As per the case of prosecution one Mahabir Singh @ Mangu was apprehended by the police while he was in possession of 1 kg of ‘Heroin’ apart from drug money to the tune of Rs.35,000/-.

It is the case of prosecution that during the course of interrogation he disclosed that the aforesaid ‘Heroin’ was to be supplied to the petitioner.

Learned counsel for the petitioner submits that he is nowhere named in the FIR and came to be nominated on the basis of a disclosure statement made by co-accused the admissibility and veracity of which would be debatable. Learned counsel further submits that the petitioner has a clean record.

Notice of motion for 09.01.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

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 22.08.2024 passed by this Court, interim bail granted vide order dated 22.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the



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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

09.01.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |