

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43367-2024 (O&M)
Date of decision: 16.01.2025

JASWANT RAM ALIAS JASWANT SINGHPETITIONER

Versus

STATE OF PUNJABRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. K.B.S. Gill, Advocate for
Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

Mr. A.S. Sekhon, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

CRM-49610-2024

Heard.

2. Keeping in view the averments made in the application, the same is allowed subject to all just exceptions and Annexure A-1 is ordered to be taken on record and exemption from filing the certified copy of the same is granted as prayed for.
3. Registry to do the needful.
4. Disposed of.

MAIN CASE

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
176	22.12.2023	22(c) of NDPS Act and 29 of NDPS Act added later on vide DDR No.18 dated 25.12.2023.	Sangat, Bathinda, District Bathinda.



2. Learned counsel for the petitioner submits that in compliance to the order dated 05.12.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 05.12.2024.

3. Learned State counsel, on instructions from ASI Kashmir Singh, intimates the Court that the petitioner has joined investigation on 13.12.2024 and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 05.12.2024, following order was passed:

“ 2. *Heard.*

3. *As per learned counsel for the petitioner, the petitioner has been nominated on the basis of alleged disclosure statement made by co-accused Paramjit Kaur and the petitioner has no concern whatsoever with her except for the fact that he being a milk seller, had been in touch with her.*

4. *Learned State counsel has referred to the reply and prays for dismissal of the petition.*

5. *After considering the rival contentions, without commenting on the merits of the case, it is deemed appropriate that the petitioner should join the investigation first before deciding the petition on merits and is accordingly directed to join the investigation. Accordingly, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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) of BNSS, 2023.*



6. *List on 16.01.2025.*”
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 05.12.2024 passed by this Court, interim bail granted vide order dated 05.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the 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

16.01.2025
kanika

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