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neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 23.10.2024, following order was passed:

“ As per the case of prosecution, son of the petitioner stands involved in FIR No.145, dated 22.8.2023 registered at Police Station Dugri, District Ludhiana under Sections 379-B, 365, 384, 506, 34 and 411 of Indian Penal Code and in respect of which he was confined in Central Jail, Ludhiana. It is the case of prosecution that on 16.9.2024 the petitioner had gone to Central Jail, Ludhiana so as to meet his son particularly in connection of getting his signatures on a Power of Attorney. After the petitioner had returned back from jail, the Jail Authorities found that son of the petitioner was in possession of 14 grams of intoxicating powder, which according to the Jail Authorities, must have been passed on to him by his father during his visit.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that it is highly unlikely that the petitioner would have been able to smuggle the contraband during the short visit he had made to meet his son as the jail authorities invariably would check any visitor before permitting any such visitor to meet any inmate of the jail.

Learned counsel for the petitioner further submitted that there could have been several other sources of smuggling of contraband in the jail and it is perhaps a case where the petitioner is being unnecessarily made a scapegoat. Learned counsel submitted that the petitioner has a clean record and is not involved in any other case.

Notice of motion for 3.3.2025.



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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 Investigating Officer and shall also 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 23.10.2024 passed by this Court, interim bail granted vide order dated 23.10.2024 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

03.03.2025
kanika

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