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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-59401-2024 (O&M)
Date of Decision:- 17.01.2025

RAJWINDER SINGH ALIAS RAJU

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Kashav Chadha and Mr. Ruhani Chadha, Advocates
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case
FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
238	03.11.2022	21 NDPS Act, (29 NDPS Act added later on)	City Moga, District Moga

2. Learned counsel for the petitioner has submitted that in
compliance to the order dated 19.12.2024 passed by this Court, the petitioner
has already joined the investigation and as such interim bail granted to the
petitioner may be confirmed.
3. Learned State counsel, on telephonic instructions received from



ASI Charanjit Kaur has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Heard.

5. During the course of hearing on 19.12.2024, the following order was passed:-

“Short reply dated 18.12.2024 filed in the form of an affidavit of Deputy Superintendent of Police, (City), Moga, District Moga, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

Heard.

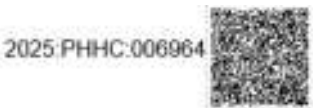
After considering the submissions, it transpires that the petitioner was not named in the FIR as accused and it was on the basis of disclosure statement made by Balwinder Singh @ Ghaint from whom recovery of 250 grams of heroin was effected that the name of the petitioner has been nominated.

Learned State counsel on instructions from ASI Gurdeep Singh present in Court has stated that apart from the disclosure statement, there is nothing substantial against the petitioner as of now.

Be it the case, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. 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 482(2) BNSS.

List on 17.01.2025.”

6. 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 19.12.2024 passed by this Court, interim bail granted vide order dated 19.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

17.01.2025
S.Sharma(syr)

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