

CRM-M-58001-2024

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2025:PHHC:020117



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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-58001-2024
Date of decision:11.02.2025

Balbir Kaur @ Biro

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Manjot Kaur, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.154 dated 21.09.2024 registered under Section 22 of NDPS Act (subsequently Section 29 of NDPS Act was added) at Police Station Sadar Samana, District Patiala.

2. The allegations in brief are that co-accused Kala Singh was arrested by the Police on 21.09.2024 along with 160 tablets of Tramadol which comes under non-commercial quantity. The present petitioner was nominated as an accused on the basis of disclosure statement suffered by said Kala Singh against him.

3. On the last date of hearing it was brought to the notice of this Court that the aforesaid contraband being of non commercial quantity is not covered under the stringent provisions of Section 37 of



NDPS Act. Resultantly, the petitioner was granted interim relief with direction to join investigation with the Police.

4. Today, counsel appearing on behalf of the petitioner submits that by virtue of the said order, the petitioner has joined the investigation with the Police.

5. The State counsel on instructions from ASI Harminder Singh submits that petitioner, who has joined investigation is no longer required for the purpose of further investigation or custodial interrogation.

6. The veracity and admissibility of the disclosure statement if any suffered by the co-accused against the present petitioner will be tested during trial. Further, rigors of Section 37 of NDPS Act are not attracted to the instant case.

7. In light of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 21.11.2024 is hereby made absolute subject to the conditions as envisaged under Section 482(2) of BNSS, 2023.

(KARAMJIT SINGH)
JUDGE

11.02.2025
P.C.

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No