



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-62895-2023

Date of decision: 22.04.2025

KRISHAN CHAND

....PETITIONER

Versus

UNION OF INDIA

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ashish K. Gupta, Advocate
for the petitioner.

Mr. Sourabh Goel, Special Public Prosecutor with
Ms. Samridhi Jain, Advocate and
Mr. Kush Goyal, Advocate for the respondent-UOI.

SANJIV BERRY, J. (ORAL)

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

Crime No.	Dated	Sections	Police Station
23/2023	20.08.2023	8, 20 and 29 of NDPS Act.	Narcotics Control Bureau, Chandigarh.

2. Learned counsel for the petitioner submits that in compliance to the order dated 16.02.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 16.02.2024.

3. Learned Special Public Prosecutor appearing on behalf of respondent-NCB, intimates the Court that the petitioner has joined investigation and after completion of investigation supplementary challan is presented before the concerned Court. He contends that the custodial interrogation of the petitioner is not required.



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4. During the course of hearing on 16.02.2024, following order was passed:

“2. It is inter alia contended by the learned counsel for the petitioner that the petitioner is innocent and has no concern with the alleged transactions but has been nominated on the alleged disclosure statement made by accused Sarfaraj Ahmed from whom recovery of contraband was effected. He submits that the petitioner is ready to join the investigation.

3. Per contra, learned counsel for respondent has assailed these arguments by submitting that the custodial interrogation of the petitioner is required.

4. List on 01.03.2024.

5. In the meanwhile, petitioner should join the 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/Investigating Officer. He shall also abide by the conditions as envisaged under Section 438(2) Cr.PC. ”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners had joined the investigation consequent to the order dated 16.02.2024 passed by this Court, interim bail granted vide order dated 16.02.2024 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.

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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

22.04.2025

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