

**In the court of Sardar Harjeet Singh, Additional Sessions Judge,
Moga. (UID No.PB0131)**

BA No.318 dated 28.07.2023
CIS No.BA/1590/2023
CNR No.PBMO010042532023
Date of Order:- 04.08.2023

State of Punjab

Versus

Nehal Sachdeva son of Yashpal Sachdeva resident of Street No.3, Prem Nagar,
Gill Road, Moga, District Moga.

....Accused/Applicant

FIR No.234 dated 02.11.2022,
U/ss 420, 342-B IPC and Section 26 of NDPS Act
added later on,
P.S. Baghapurana.

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Bail Application under Section 438 Cr.PC.

Present: Sh. Lovelesh Gupta Advocate for applicant/accused
Sh. Amrit Mittal Addl.PP for the State

ORDER

Main file received and perused.

Learned counsel for accused/applicant has argued that earlier FIR was registered under Sections 420, 342 IPC against the accused/applicant and he was granted regular bail by learned trial court. Now challan has been presented by the police by adding Section 26 of NDPS Act. Since, the accused/applicant is ready to join the investigation, as such, his custodial interrogation is not required and bail application be allowed.

On the other hand, learned Addl.PP for State argued that serious allegations have been levelled against the accused/applicant. It is not a fit case, where concession of anticipatory bail can be given to accused/applicant. Lastly,

he prayed that bail application be dismissed.

I have considered the submissions of learned Counsel for the applicant/accused and learned Addl. PP for the State.

Perusal of record goes to show that earlier, the FIR was registered under Sections U/ss 420, 342 IPC and accused/applicant has been granted regular bail by learned trial court and now offence under Section 26 of NDPS Act was added/enhanced by the police. In these circumstance, the purpose will be served by directing the applicant-accused to join the investigation under Section 26 of NDPS Act. So, in the meantime, applicant-accused is directed to join the investigation with the Investigating Officer/Arresting Officer and on his doing so, he shall be admitted to interim bail by the Investigating Officer/Arresting Officer to his satisfaction, subject to compliance of provisions of Section 438(2) Cr.P.C

Now to come upon 11.08.2023 for awaiting compliance report and further arguments.

Pronounced.
04.08.2023.
(Sunny Stenographer II)

(Harjeet Singh)
Additional Sessions Judge,
Moga. (UID No.PB0131)