

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

1. **CRM-M-38972-2018**

Inderjit Singh @ Doga

.....Petitioner

Versus

State of Punjab

.....Respondent

2. **CRM-M-40417-2018**

Amarnath Singh

....Petitioner

Versus

State of Punjab

....Respondent

Date of decision:30.10.2018

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Monty Goyal, Advocate
for the petitioner(s) in both cases.

Ms. Ruchika Sabherwal, AAG, Punjab
assisted by ASI Gurbaksh Singh in both cases.

GURVINDER SINGH GILL, J. (ORAL)

This order shall dispose of above-mentioned two petitions
filed on behalf of petitioners-Inderjit Singh @ Doga and Amarnath Singh
seeking anticipatory bail in case registered vide FIR No.220 dated
31.07.2018 under Section 61 of Punjab Excise Act, 1914 and Sections 15,

25 of Narcotic Drugs and Psychotropic Substances Act, 1985 Police Station City Jagraon, District Ludhian, Punjab.

It is the case of prosecution that a secret information was received by police to the effect that nine persons including the present petitioners have stored huge quantity of poppy husk and liquor in the house of Kuljeet Singh Sarpanch. It is further case of prosecution that pursuant to the aforesaid information a raid was conducted in the house of Kuljeet Singh, Sarpanch and 6 Kgs. of Poppyhusk and 600 cases of liquor containing 12 bottles each, meant to be sold in Chandigarh, was recovered.

Notice of the petition was issued to the respondent-State.

Learned counsel for the petitioner(s) has submitted that the petitioner(s) has been falsely implicated in the present case and was never arrested at the spot and that there is nothing on record to suggest that they had joined hands with the other co-accused from whom recovery was allegedly effected from the house of Kuljeet Singh, Sarpanch.

On the other hand, learned State counsel has submitted that since there was specific information by name against the present petitioner(s) pursuant to which recovery was also effected from house of co-accused Kuljit Singh Sarpanch, the applications deserve dismissal. It has however been informed that the petitioners have joined investigation pursuant to interim directions issued by this Court vide orders dated 07.09.2018 and 14.09.2018, respectively.

Having regard to the facts and circumstances of the case and

the nature of allegations, and bearing in mind that the petitioners were not arrested at the spot and have already joined investigation, I do not find that it to be a case of custodial interrogation. Accordingly the petitions are accepted and the interim directions issued vide dated 07.09.2018 and 14.09.2018, respectively, by this Court are hereby made absolute subject to the condition that the petitioners would appear before Investigating Officer 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.

The petitions are accepted in the abovementioned terms.

30.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No