

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

228

CRM-M-2309-2019

DATE OF DECISION: 18.07.2019

MONU SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. M.K. Dhot, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.199 dated 18.11.2018, under Sections 22/29 of the NDPS Act, registered at Police Station Sadar Dhuri, District Sangrur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that recovery was effected from Surjit Singh and Lalit Kumar. The petitioner has been named by Surjit Singh and Lalit Kumar in their statement before the police. Learned counsel for the petitioner, however, states that besides the confessional statement of the co-accused, there is no other evidence which would connect the petitioner with the commission of offence. The petitioner is not involved in any other case under the NDPS Act. Learned counsel for the petitioner contends that the contraband, which has been recovered from the co-accused, falls under the non-commercial quantity.

A coordinate Bench of this Court by the order dated 21.01.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Avtar Singh, states that although the petitioner has joined investigation but besides confessional statement it has been found that the petitioner had called the co-accused on his mobile phone and was in touch with them.

In view of the submissions of learned counsel for the petitioner especially when the petitioner has joined investigation, he is not named in the FIR, he has been arraigned as an accused on the statement of the co-accused and is not involved in any other case, order dated 21.01.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

18.07.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No