

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-14051-2019 (O&M)  
Date of Decision:-23.7.2019

Jagseer Singh @ Jaggi

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Satnam Singh Gill, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

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**GURVINDER SINGH GILL, J.**

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.33 dated 14.2.2019 at Police Station Sadar Dhuri, District Sangrur under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The FIR was registered on the basis of secret information to the effect that Jaggi brings huge quantity of intoxicating tablets and supplies the same to customers through Mithu Singh. Pursuant to the aforesaid information, barricading was held and Mithu Singh was apprehended and from whose search 610 strips of '*tramadol*' containing 10 tablets each were recovered.
3. It is further the case of prosecution that during the course of interrogation, said Mithu Singh disclosed that he had procured the said tablets from Jagseer Singh @ Jaggi (petitioner).

4. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the petitioner was neither arrested at the spot nor any recovery has ever been effected from him and is sought to be nominated on the basis of disclosure statement of co-accused.
5. Opposing the petition, the learned State counsel has submitted that since there was specific secret information against the petitioner and his co-accused has also disclosed that petitioner was supplying the intoxicating tablets, no case for grant of anticipatory bail is made out. It has, however, been informed that the petitioner is not involved in any other case earlier.
6. Having considered rival submissions addressed before this Court and while bearing in mind the fact that the petitioner was never arrested at the spot and also that the petitioner is not stated to have ever been involved in any other case and is sought to be implicated on the basis of disclosure statement of co-accused, the admissibility and veracity of which is yet to be tested during the course of trial, in my opinion, it is not a case warranting custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 28.3.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation 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.
7. The present petition stands accepted accordingly.

**23.7.2019**

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)  
Judge**