

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

CRM-M-14649-2019 (O&M)
Date of Decision:- 18.7.2019

Vikramjeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Raj Kumar Gupta, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Vikramjeet Singh seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.93, dated 28.5.2018, registered at Police Station Moti Nagar, Ludhiana, under Section 22 NDPS Act.
2. The allegations, in nutshell, are that on 28.5.2018, when the police party was conducting checking, then a silver coloured Innova car bearing registration No. PB-10-DB-1063 was signalled to stop. Although, the driver tried to speed away his car but was unsuccessful. Two persons were found sitting in the car. The person driving the car disclosed his name as Kapil Dev while the co-passenger disclosed his

name as Hardeep Kumar @ Deepak. A search of the vehicle led to recovery of 1 kg of 'Heroin'.

3. It is further the case of prosecution that during the course of interrogation, both of the accused suffered disclosure statement to the effect that they used to procure 'Heroin' from one Nigerian and further used to give it to Vikramjeet Singh for selling the same.
4. Learned counsel for the petitioner has submitted that he was never arrested at the spot and that apart from the alleged disclosure statement of co-accused, there is no evidence to connect him with the alleged offence.
5. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named by the co-accused in the disclosure statement, no case for grant of anticipatory bail is made out.
6. Having considered rival submissions addressed before this Court and while noticing that the petitioner is sought to be implicated solely on the basis of disclosure statement made by co-accused, the admissibility and veracity of which is yet to be tested during the course of trial and while also noticing that the petitioner is not stated to be involved in any other case pertaining to NDPS, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted. In the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the 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.

July 18, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No