

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

CRM-M-18617-2019 (O&M)
Date of Decision:- 23.5.2019

Amandeep Sharma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.B.Raheja, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Amandeep Sharma seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.100, dated 25.3.2019, registered at Police Station Barnala, under Section 18 of NDPS Act.
2. The case of the prosecution is that on 25.3.2019 when the police party was patrolling in the area of Barnala then a secret information was received to the effect that Avtar Singh @ Tari, Jagjiwan Singh @ Jagga Singh and Balwant Singh @ Kala indulged in sale of 'opium' in the area of Barnala after procuring the same from outside and that they are present near tar plant, Handiaya. Pursuant to receipt of said

information, a raid was conducted and the aforesaid three persons were apprehended. While Avtar Singh was found in possession of 700 grams of 'opium', Balwant Singh was carrying 300 grams of 'opium'. The third accused Jagjiwan Singh was not found to be carrying anything. It is further the case of prosecution that during the course of interrogation, they disclosed that they had procured the 'opium' from the present petitioner.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the only evidence against him is in the nature of the statement of the co-accused which would not carry much evidentiary value.
4. Opposing the petition, learned State counsel has submitted that since all the three co-accused have nominated the petitioner as their supplier, no case for grant of anticipatory bail is made out.
5. Having considered rival submissions addressed before this Court and having regard to the facts and circumstances of the case especially that the petitioner was not arrested at the spot and has been nominated as an accused on the basis of disclosure statement of co-accused, the admissibility and veracity of which is yet to be tested, 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.

May 23, 2019
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(GURVINDER SINGH GILL)
JUDGE

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