

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

CRM-M-44431-2018

Date of decision:06.02.2019

Sinda Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Laghinder Singh Sekhon, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab
assisted by HC Sukhwinder Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.107 dated 08.09.2018 under Sections 22/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Sherpur, District Sangrur.
2. As per the case of prosecution, co-accused Bawi was found in possession of 1800 tablets of Taramadol. During the course of investigation, she suffered a disclosure statement to the effect that it was her son who had brought the said contraband and who gave the same to her for the purpose of selling the same.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on the basis of disclosure statement

and there is no evidence worth credence to connect the petitioner with the incident.

4. Opposing the bail application, learned State counsel has submitted that since the disclosure statement has been made by none-else but by mother of the petitioner, it cannot be said that she has falsely implicated her son.
5. Having considered rival contentions addressed before this Court and bearing in mind that fact that the petitioner was not arrested at the spot and is sought to be implicated solely on the basis of disclosure statement, the veracity and admissibility of which is yet to be tested during the course of trial, in my opinion, it is a fit case for grant of anticipatory bail to the petitioner. Accordingly the petition is accepted and the interim directions issued vide dated 08.10.2018 by this Court are hereby made absolute subject to the condition that the petitioner 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.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

06.02.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**