

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

216

CRM-M-28485-2019

DATE OF DECISION: 14.10.2019

KINDER SINGH @KINDER AND ANOTHER

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Prateek Pandit, Advocate
for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No. 96 dated 23.05.2019 under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioners contends that the allegations in the FIR are that 10,000 tablets of Alprazolam were recovered from the co-accused Paramjit Singh and Gurmail Singh. The petitioners have been arraigned as accused on the disclosure statements of both the co-accused. They have been falsely implicated, as petitioner No.1 is the brother and petitioner No.2 is the cousin of Gurmail Singh. He also contends that besides the statements of co-accused there is no prima facie evidence to connect the petitioners with the alleged commission of offence. He also states that the petitioners are not involved in any other case under the NDPS Act. He has relied upon the

case of **Surinder Kumar Khanna v. Intelligence Officer, Directorate of Revenue Intelligence, AIR 2018 SC 3574.**

This Court, by the order dated 26.08.2019, had directed the petitioners to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were 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 Santokh Singh, states that the petitioners have joined investigation and are not required for custodial interrogation.

In view of the submissions of the learned counsel for the petitioners and the petitioners having joined investigation, the order dated 26.08.2019 granting interim bail to the petitioners is made absolute.

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

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

14.10.2019.

SwarnjitS

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