

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-209 of 2020(O&M)

Date of Decision: 10.08.2020

Khushdeep Singh @ Khusha

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. P.S.Jammu, Advocate
for the petitioner(s).

Mr. Anmol Malik, DAG., Haryana.

LISA GILL, J (Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioners seek the concession of anticipatory bail in FIR No.157, dated 06.12.2019, under Section 22-B of NDPS Act, registered at Police Station Baragudha, District Sirsa.

It is submitted that the petitioner has been falsely implicated in this case merely on the basis of a disclosure statement of the co-accused, to the extent that the narcotics recovered from the co-accused were purchased from the petitioner, however, there is no evidence on record to this effect. It is further submitted that mala fides on the part of the police authorities are apparent from the fact that the petitioner has been implicated in a similar matter registered on the same date i.e. 06.12.2019 in the adjoining Police Station Kalanwali, District Sirsa, on similar allegations. The petitioner, it is submitted has joined investigation and he undertakes to fully cooperate with

the investigating agency and not abuse the concession of anticipatory bail, if afforded to him. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Rajinder Singh, verifies that the petitioner has joined investigation and at this stage, is unable to point out any palpable evidence on record against the petitioner, except the disclosure statement of the co-accused.

There are no allegations on behalf of the State that the petitioner is likely to abscond or he is likely to dissuade the witnesses from deposing true facts , if granted the concession of anticipatory bail.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 08.01.2020, is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

10.08.2020
s.khan

[LISA GILL]
Judge

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