

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

CRM-M-12933-2020 (O&M)
Date of Decision:-27.5.2020

Ajaib Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Aggarwal, Advocate for the petitioner.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.101 dated 1.5.2020 under Section 15 NDPS Act at Police Station Kalanwali, District Sirsa.
2. Notice of motion. At this stage, Mr. Deepak Sabherwal, Addl. A.G., Haryana, upon whom advance copy of the petition has been served, accepts notice.
3. It is the case of prosecution that a police party headed by SI Gurmeet Singh apprehended Paramjit Singh @ Pamma along with his motorcycle on which he was carrying a plastic bag containing 2 kilograms of 'Doda post'. It is further the case of prosecution that during the course of interrogation, the co-accused stated that he had procured the said contraband from the petitioner.

4. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on the basis of the alleged disclosure statement.
5. Opposing the petition, the learned State counsel has submitted that the petitioner is a habitual offender and in these circumstances does not deserve the concession of anticipatory bail.
6. I have considered rival submissions addressed before this Court. The petitioner has been nominated as an accused on the basis of disclosure statement, the admissibility and veracity of which would be debatable.
7. Keeping in view the quantity of contraband recovered which falls in the category of intermediate quantity and the fact that the petitioner was never arrested at the spot, the petition merits acceptance and is hereby accepted and the petitioner in the event of his arrest shall 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 Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

27.5.2020

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No