

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

CRM-M-16473-2020

Date of Decision:-2.9.2020

GAGANDEEP

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.K. Bishnoi, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

(Proceedings conducted through video conferencing).

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.182 dated 13.6.2020 under Sections 22 & 27-A NDPS at Police Station Sadar Sirsa, District Sirsa.
2. It is the case of prosecution that Vikas Kumar @ Vicky and Sonu @ Goli were apprehended while in possession of 110 capsules of 'Tramadol Hydrochloride'. It is further case of prosecution that during interrogation they disclosed that they had purchased the same from the petitioner.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on the basis of an alleged disclosure statement, the veracity of which would be debatable.
4. Learned State counsel upon instructions from ASI Sube Singh has

informed that pursuant to interim direction issued by this Court, the petitioner has since joined investigation.

5. Having regard to the facts and circumstances of the case especially that the petitioner was never arrested at the spot and is sought to be nominated as an accused on the basis of disclosure statement made by co-accused and that he is not a previous convict and has joined investigation, custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 25.6.2020 are hereby made absolute subject to the condition that the petitioner shall continue to appear before the Investigating Officer as and when called upon to do so and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

2.9.2020
Gaurav Sorot

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

Whether reportable? **Yes / No**