

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM M-17609 of 2020 (O&M)
Date of Decision: July 09, 2020**

Ranjit Singh		Petitioner
	Versus	
State of Punjab		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Ms. Harmeet Kaur, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. Pawan Sharda, Sr. DAG, Punjab puts in appearance on behalf of the State on his own.

Petitioner Ranjit Singh, who is an accused in case bearing FIR No. 53 dated 20.04.2020 under Section 21 of the NDPS Act 1985 and Sections 25 and 27 of the Arms Act registered at Police Station Special Task Force, Phase IV, SAS Nagar, Punjab has come up in this first anticipatory bail application under Section 438 Cr.P.C.

The precise allegations are that the present case got registered on the statement of ASI Devi Lal alleging that during the course of checking of proclaimed offenders, he received information that accused non/applicants Sona Singh, Raj @ Angrej Singh, Amandeep Singh @ Aman, Gurdeep Singh @ Chiman Singh and Parkash Kaur @ Passo were having links with smugglers in Pakistan and were smuggling heroin through international border and used to sell the same alongwith illegal weapons and if a raid is conducted, they could be apprehended.

Consequent upon this, the present case was got registered and from the possession of abovesaid five accused, 160 grams heroin, 04 pistols and Rs.25,00,000/- in cash presumed to be the drug money recovered.

Name of the petitioner has cropped up on the statement of co-accused Gurdeep Singh that he too was involved with them.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner is not named in the FIR nor any recovery has been effected and has sought to doubt the legal worth of statement of co-accused.

Learned State counsel Mr. Pawan Sharda, Sr. DAG, Punjab has strongly opposed the bail on the grounds of heinousness of offence and seriousness of allegations claiming that custodial interrogation of the petitioner is very much

essential.

Appreciating the submissions, name of the petitioner does not figure in the FIR. The only semblance of evidence that has come about is statement of co-accused Gurdeep Singh and the very legality and validity of such an evidence in the absence of any other corroborative piece of evidence is subject to judicial scrutiny. Sending the petitioner behind the bar will not serve any purpose and it would be travesty of justice and his joining the investigation would suffice the purpose. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investing officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off, accordingly.

July 09, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

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