

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

CRM-M-18208-2020 (O&M)
Date of Decision:-25.11.2020

Inderjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tarun Sharma, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G. Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No. 86 dated 9.8.2019 under Sections 15/29 of NDPS Act at Police Station Sadar Abohar, District Fazilka
2. At the time of issuance of notice of motion, the following order was passed :-

“The learned counsel for the petitioner contends that he was never arrested at the spot and that the alleged recovery of 300 kilograms of 'poppy husk' was effected from Gurlal Singh and Harjinder Singh, who are alleged to have nominated the petitioner as their accomplice having supplied the alleged contraband.

Notice of motion for 25.11.2020.

At this stage, Mr. Ajay Pal Singh Gill, DAG, Punjab, upon whom advance copy of petition has already been served, accepts notice on behalf of the respondent-State.

Meanwhile, in the event of arrest, the petitioner be released on interim 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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. The learned State counsel, upon instructions from ASI Dayal Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and is not required for any further interrogation.
4. Having regard to the fact that it is a case where the petitioner is stated to have been nominated on the basis of disclosure statement, the admissibility of which would be debatable and the fact that he has already joined investigation, custodial interrogation of the petitioner is not warranted.
5. The petition, as such, is accepted and the interim directions issued vide order dated 10.7.2020 are hereby made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.
6. The petition stands accepted accordingly.

25.11.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No