

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

**CRM M-18667 of 2020 (O&M)**

**Date of Decision: July 15, 2020**

Jagjit Singh @ Jagga

.....Petitioner

Versus

State of Punjab

.... Respondent

**CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present : Mr. Amandeep Singh Manaise, Advocate  
for the petitioner.

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

Petitioner Jagjit @ Jagga has come up in this first anticipatory bail in case bearing FIR No. 101 dated 05.10.2019 under Sections 21, 22 and 29 of NDPS Act registered at Police Station Kalanaur, District Gurdaspur.

The allegations have come about from ASI Nishan Singh alleging that on 5<sup>th</sup> October 2019 while they were holding

a Naka, the police observed a motorcycle bearing registration No. PB-06N-1401 coming, which was being driven by one Baldev Raj on which a lady was sitting on the pillion and from the bag hanging on the handle bar of the motorcycle 1030 intoxicating tablets were got recovered. It is subsequent thereto on the statement of the co-accused, petitioner has been roped in being the supplier of the same.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR nor any recovery has been effected from him and only semblance of evidence against the petitioner is statement of co-accused.

Learned State counsel Mr. Amit Mehta, Sr. DAG, Punjab has stoutly opposed the bail on the ground of huge quantity of contraband has been recovered from the accused and, therefore, his custodial interrogation is very much necessary.

Appreciating the submissions of the two sides, recovery has already been effected from the co-accused on whose statement the name of the petitioner has cropped up. Thus very legality and validity of such a piece of evidence in the absence of any other incriminating evidence is subject to judicial scrutiny 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 15, 2020**

amit rana

**(FATEH DEEP SINGH)****JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No