

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

CRM-M-19218-2020

Date of Decision:-27.08.2020

PRINCE PRUTHI

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kumar Passi, Advocate for the petitioner.

Mr. H.S. Sitta, AAG, Punjab.

(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.75 dated 22.5.2020 under Sections 22 & 29 of NDPS Act (Section 25 of NDPS Act added later on) at Police Station City Jalalabad, District Fazilka.
2. It is the case of prosecution that a secret information was received by the police to the effect that Prince Pruthi (petitioner) and his brother Gaurav Pruthi were running a medical store and in connivance with one Paramjit Singh used to sell intoxicant tablets in an illegal manner. Information was further to the effect that Paramjit Singh after purchasing the said intoxicant tablets was present at village Jaba in order to further sell the same in other villages. Pursuant to receipt of aforesaid information barricading was raised by the police and two persons namely Gaurav

Pruthi and Paramjit Singh were apprehended. Upon search of the aforesaid persons 40,000 tablets of Tramadol were recovered from them. It is further case of prosecution that subsequently Gaurav Pruthi made a disclosure statement which led to nabbing of Gaurav Doomra, who was also found in possession of 40,000 tablets. The aforesaid Gaurav Doomra further made a disclosure statement nominating Gurjit Singh also an accused and who was also apprehended and from his possession 4,000 tablets of Tramadol was recovered.

3. Learned counsel for the petitioner submits that he was never apprehended by the police nor was found in illegal possession of any intoxicant tablets and that he is a licensed chemist.
4. Opposing the petition, learned State counsel has submitted that the petitioner was very much conniving with the co-accused for sale of intoxicant tablets in an illegal manner and as such he does not deserve the concession of bail. It has however been informed that pursuant to interim directions, the petitioner has since joined investigation. Learned State counsel has further informed that CCTV footage which was directed to be examined is still being examined and as of now no definite report is available.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that the petitioner was never caught red-handed or was found in an illegal possession of any contraband and has since joined investigation, in my opinion, it is not a case which would warrant custodial interrogation. The petition, as such, is accepted and the interim

directions issued by this Court vide order dated 4.8.2020 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.

7. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

27.08.2020
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No