

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19911-2020 (O&M)

Date of Decision: September 02, 2020

JUGAL SINGH @ JOGI @ JOGA

..... Petitioner(s)

Versus

STATE OF HARYANA

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. S.S. Brar, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.130 dated 09.05.2020, under Sections 188 IPC and Section, 21 of the NDPS Act, Police Station Civil Lines Sirsa, District Sirsa.

Contentions on behalf of the petitioner, noted while issuing notice of motion on 22.07.2020, read as under:-

“Learned counsel for the petitioner submits that the petitioner has been falsely implicated in FIR No.130 dated 09.05.2020, registered under Sections 188 IPC and Section 21 of the NDPS Act, Police Station Civil Lines Sirsa, District Sirsa, only on the basis of an alleged disclosure statement of the co-accused Jaskaran @ Jasss, from whom a recovery of 95 grams of heroin was effected. The petitioner was not present at the spot and neither was any recovery effected from him. The mobile phone mentioned in the FIR does not belong to the petitioner. The petitioner, it is submitted, is not involved in any other criminal case.”

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this FIR. It is further submitted that the petitioner has since joined investigation and he undertakes to co-operate in the investigation.

Learned counsel for the State on instructions from ASI Rattan Singh verifies that the petitioner has joined investigation and his custodial interrogation is not required. It is further verified that he is not involved in any other criminal case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 22.07.2020 is made absolute. Needless to say, the petitioner shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

02.09.2020

Sunil

(LISA GILL)

JUDGE

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