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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.20924 of 2020(O&M)
Date of Decision: 04.12.2020

Preety Mann

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Shakit Mehta, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.0211 dated 03.06.2020 registered under Sections 21, 22 of the NDPS Act at Police Station Sadar Dhuri.

Perusal of the record would show that FIR No.210 dated 02.06.2020 under Section 25 of the Arms Act was registered at Police Station Sadar Dhuri on the basis of secret information against Jarnail Singh @ Jelly and Shingara Singh for carrying illegal weapons in a car bearing No.PB-10-ET-7887 and on the said basis, ruqa was sent by the police against the aforesaid persons for registration of the offences under Sections

25/54/59 of the Arms Act at 7:30 PM. The aforesaid accused were apprehended on the same day. Thereafter, FIR No.211 was registered on 03.06.2020 at 1:32 AM in the same police station with the allegations that during investigation of FIR No.210 dated 02.06.2020, intoxicant tablets and powder were recovered from the car in question i.e. PB10-ET-7887. The accused namely Jarnail Singh @ Jelly and Shingara Singh pleaded no knowledge about the presence of intoxicants in the car. They pleaded that one Sansar Singh had to return an amount of Rs.42 lacs to Jarnail Singh @ Jelly. Shingara Singh had borrowed the car from him and thereafter, they had gone to Barnala where they met the petitioner. Petitioner in all probabilities must have kept the intoxicants substance in the car at the behest of Sansar Singh. Petitioner has been nominated on the basis of disclosure statement of Jarnail Singh @ Jelly.

Learned counsel for the petitioner submits that Jarnail Singh @ Jelly and Sansar Singh have been found to be innocent in the inquiry conducted by S.P. Sangrur.

Learned State counsel admits the aforesaid fact that Jarnail Singh @ Jelly and Shingara Singh have been found to be innocent in the inquiry conducted by SP, Sangrur, but the Court has not accepted the said status.

Vide order dated 29.07.2020, notice of motion was

issued and arrest of the petitioner was stayed.

In view of above, the present petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 10.12.2020 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

December 04, 2020
Prince

(RAJ MOHAN SINGH)
JUDGE

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