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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.24057 of 2020 (O&M)

Date of decision: 24.08.2020

Rajbir Singh

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

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

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN J. (Oral)**

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.260 dated 13.12.2019 registered under Sections 22, 25 of the NDPS Act (Section 29 of the NDPS Act added later) at Police Station City Jagraon, District Ludhiana.

Counsel for the petitioner has argued that as per the allegations in the FIR, the police on receiving a secret information that 02 persons namely Balwinder Singh @ Binder and Mangal Singh are habitual of selling intoxicant tablets, are coming in a car, apprehended them and recovered 9000 and 6000 tablets of Tramadol Hydrochloride each from them. Later on, on the disclosure statement of the said accused, the name of the petitioner was nominated. It is also submitted that the petitioner is an agriculturist and has no such history of involvement in any NDPS case and he has been involved in this case only on account of some other dispute.

Counsel for the State, on instructions from ASI Janak Raj,

**CASE HEARD THROUGH VIDEO CONFERENCING**

has not disputed the fact that the petitioner is not involved in any other case under the NDPS Act. It is also submitted that the main accused have stated that they have acquired the tablets from the petitioner.

However, on a Court query, counsel for the State submits that in the disclosure statement it is not mentioned that the main accused had paid any amount for taking the intoxicant tablets from the petitioner and therefore, the petitioner cannot be said to be a seller.

After hearing the counsel for the parties, considering the fact that the petitioner is not involved in any other case under the NDPS Act; the name of the petitioner has been surfaced in the FIR on the basis of the disclosure statement, this petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of 10 days from today and he shall be released on interim bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**24.08.2020**

*yakub*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No