

CRM-M-26170-2020

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

CRM-M-26170-2020

Date of decision:22.09.2020

Lali @ Lalli Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Status report by way of affidavit of the Assistant Superintendent of Police, Sub Division Sunam, District Sangrur, has been filed through e-mail. Print out of the same is taken on record.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.214 dated 08.08.2020, registered at Police Station City Sunam, District Sangrur, under Sections 15 and 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner contends that co-accused, Ashok Kumar @ Shoki, who was driving the truck owned by the petitioner, was allegedly arrested with contraband; and that the petitioner has been indicted as an accused on the basis of a disclosure statement of the aforesaid co-accused.

Learned State counsel while opposing the prayer made in the present petition, submits that though the petitioner was not arrested at the

CRM-M-26170-2020

spot, yet it was him, who had bought the contraband from Madhya Pradesh.

I have heard the learned counsel for the parties.

Indisputably, the petitioner is the owner of the truck being driven by the co-accused, who was arrested at the spot and it is on the disclosure statement of him, the petitioner has been indicted as an accused in the present case.

In view of the above, I find that recovery in the present case has already been effected and the petitioner is not required for custodial interrogation. Therefore, no useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

22.09.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No