

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

**CRM-M-27992-2020
Date of decision: 16.09.2020**

Vikram Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. J. S. Thakur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 15 dated 04.03.2019, registered under Section 21 of the NDPS Act, 1985 at Police Station Maqsudan, District Jalandhar (Rural).

Learned counsel for the petitioner relies upon order dated 12.03.2020 passed in CRM-M-55726-2019, vide which similarly situated co-accused Ramneek Singh, whose name was also disclosed by main accused Prabhjot Singh, from whom recovery of contraband was effected, was granted concession of anticipatory bail by this Court. The operative part of the order reads as under:

“On 14.1.2020, following order was passed:-

“Prayer in the present petition is for grant of pre-arrest bail to petitioner in case F.I.R. No.15 dated 04.03.2019 under Section 21 of the N.D.P.S. Act, 1985, registered at Police Station Maqsudan, District Jalandhar (Rural).

Learned counsel for the petitioner inter alia contends that petitioner has been roped in merely on

the basis of disclosure statement of co-accused Prabhjot Singh, whereas petitioner has no nexus whatsoever with the offence in question. He further contends that petitioner was not even named in the FIR and alleged recovery of contraband has already been effected from co-accused Prabhjot Singh. He further contends that petitioner is ready to join investigation as and when required by Investigating Agency.

Notice of motion for 09.03.2020.

At the asking of Court, Mr. Harpreet Singh Multani, Assistant Advocate General, Punjab, accepts notice on behalf of respondent-State.

Complete copy of paper book be supplied to him during the course of the day.

Meanwhile, in the eventuality of arrest of petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/ Arresting Officer. Petitioner shall join investigation as and when called upon to do so by the Investigating Agency. Petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.”

Learned State counsel on instructions from SI Raghbir Singh has submitted that petitioner has joined investigation and he is not involved in any other case under the NDPS Act. It is also not disputed that there is no recovery from the petitioner.

In view of the above facts, interim protection granted vide order dated 14.1.2020 is hereby made absolute.”

Learned counsel for the petitioner submits that even the petitioner is not named in the FIR and was nominated in the disclosure of

aforesaid co-accused.

Learned counsel for the petitioner further submits that petitioner is not involved in any other case under the NDPS Act and is ready to face the trial.

Learned State counsel, on telephonic instructions from the Investigating Officer, could not dispute the factual position.

In view of the above, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if required, by issuing a written notice in this regard.

16.09.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No