

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

CRM-M-29697-2020
Date of decision: 25.09.2020

Shamanjeet Singh @ Titu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 349 dated 14.09.2020, registered under Sections 21-B, 27-A and 29(i) of the NDPS Act, 1985 at Police Station Sadar Fatehabad, District Fatehabad.

Learned counsel for the petitioner submits that as per the allegations in the FIR, the police party, on suspicion, apprehended two persons, namely Rajender Singh and Madan Singh, and on search, they were found in possession of 60 grams of Heroin. Later on, on the disclosure of aforesaid co-accused Madan Singh, the name of the petitioner surfaced in this case as it was stated that they have procured the said contraband from petitioner.

Learned counsel further submits that petitioner was not present at the spot; he is not involved in any other case and he is a clean antecedents.

Learned counsel further submits that it is a matter of trial

whether disclosure statement of aforesaid co-accused would be admissible against the petitioner or not.

Learned State counsel, on telephonic instructions from SI Ramesh Kumar, could not dispute the factual position that petitioner is not involved in any other case and recovery of aforesaid 60 grams of Heroin was effected from co-accused Rajender Singh and Madan Singh.

After hearing learned counsel for the parties, without commenting on the merits of the case, considering the aforesaid facts and circumstances of the case, 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.

25.09.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No