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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.38987 of 2020 (O&M)

Date of decision: 25.11.2020

Gurbinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.265 dated 19.08.2020 registered under Sections 21/22/29 of the NDPS Act, at Police Station Maqboolpura, District Amritsar.

Counsel for the petitioner has relied upon the order dated 18.11.2020 passed in CRM-M No.38156 of 2020 vide which two of the co-accused of the petitioner, who were also nominated by the main accused – Sukhbir Singh @ Sukh @ Patti, from whom 265 gms. of Heroin was recovered, have been granted the concession of anticipatory bail.

Counsel for the petitioner has further submitted that though, it is the version of the police that after the aforesaid Sukhbir Singh was arrested, he has made a disclosure statement that the petitioner – Gurbinder Singh, Ranjit Singh and Gurbir Singh are involved in the business of selling intoxicant substance, however, none

CASE HEARD THROUGH VIDEO CONFERENCING

of them was having any previous history of involvement in any other NDPS Act and even the petitioner is not involved in any other case and it will be a debatable issue whether the said disclosure statement of the co-accused can be read against the petitioner.

Counsel for the State, on instructions from ASI Gurbir Singh, could not dispute the factual position that two of the co-accused, who were also nominated by the same co-accused have been granted the concession of anticipatory bail. It is also not disputed that the petitioner is not involved in any other case.

After hearing the counsel for the parties, I deem it appropriate to grant the concession of anticipatory bail to the petitioner and accordingly, this petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of 10 days from today and join the investigation and he shall be released on interim bail on his furnishing bail/surety bonds, subject to the conditions envisaged under Section 438(2) Cr.P.C.

It will be open for the Investigating Officer to call the petitioner by issuing an advance notice in writing, as and when he is required for the purpose of investigation.

(ARVIND SINGH SANGWAN)
JUDGE

25.11.2020
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No