

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

CRM-M-43572-2019

Date of Decision:- 12.2.2020

DAVINDER SINGH @ BOBBY

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Siwach, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.98 dated 21.9.2019 under Section 22 of NDPS Act at Police Station Division No.3, District Jalandhar.
2. The FIR was registered against Hardeep Singh who was found in possession of 5 grams of intoxicating powder. It is a case of prosecution that during the course of interrogation, he had disclosed that he had procured the same from the petitioner.
3. Learned counsel for the petitioner has submitted that the only evidence against him is the alleged disclosure statement and that there is no other evidence to connect the petitioner with the alleged offence.
4. Opposing the petition, learned State counsel submits that since Hardeep Singh had specifically named the petitioner, no case for grant of

anticipatory bail is made out. He has however informed that pursuant to interim directions issued by this Court, the petitioner has already joined investigation. It has also been informed that there is no other case pending against the petitioner.

5. Having regarding the facts and circumstances of the case especially that the petitioner has been nominated on the basis of disclosure statement and he has since joined investigation, this Court is of the opinion that it is not a case which would warrant custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 11.10.2019 are hereby made absolute subject to the condition that the petitioner shall continue to appear before the Investigating Officer as and when called upon to do so and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

12.2.2020

Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**