

CRM-M-50549-2019

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

CRM-M-50549-2019

Date of Decision: 05.02.2020

Satnam Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Prabhdeep Singh Dhanju, Advocate for
Mr. Tarun Sharma, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (Oral)

Through the instant petition, the petitioner seeks anticipatory bail in FIR No.61 dated 12.05.2019, under Section 21 of NDPS Act, 1985 (however Section 29 NDPS Act, 1985 added later on), registered at Police Station Makhu, District Ferozepur.

On 18.12.2019, this Court passed the following order:

“Learned State counsel, on instructions from ASI Lakhwinder Singh, submits that name of the petitioner has been mentioned in the disclosure statement suffered by co-accused Saraj Singh from whom 20 grams of heroin was recovered and he has also stated that the contraband was purchased from the petitioner. Learned State counsel further submits that no other FIR under the NDPS Act is pending against the petitioner.

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Learned counsel for the petitioner submits that the statement of co-accused Saraj Singh is confessional which is not admissible in the evidence being a disclosure statement.

Keeping in view the above, the petitioner is granted interim bail. He is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

Adjourned to 5.2.2020.”

Learned counsel for the petitioner states that pursuant to the order dated 18.12.2019 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Narender Singh, submits that the petitioner has joined investigation and is not required for any further investigation.

Looking to the circumstances, but without commenting on the merits of the case, the present petition is allowed and the order dated 18.12.2019 granting interim bail to the petitioner, is made absolute subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

05.02.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No