

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1384-2021 (O&M)
Date of Decision:- 17.8.2021

Ravinder Singh Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.S.Sekhon, Advocate, for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.107, dated 14.12.2020, Police Station Sherpur, District Sangrur, under Sections 22 and 29 of NDPS Act.
2. At the time of issuance of notice of motion on 12.1.2021 the following order was passed:

“Learned counsel for the petitioner submitted that he has been nominated as an accused on the basis of a disclosure statement allegedly made by one Sukhpal Singh from whose possession 800 tablets of ‘Tramadol’ were recovered. It has been submitted that a disclosure statement can hardly be said to be a

reliable piece of evidence and that since no recovery whatsoever was ever effected from the petitioner, he deserves the concession of anticipatory bail.

Notice of motion for 27.4.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that challan already stands presented.
4. In view of the aforestated position wherein the petitioner was never arrested at the spot and nor any recovery was effected from him and has already joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 12.1.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

17.8.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No