

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

209

CRM-M-1916-2021

Date of Decision: 27.04.2021

Nirmal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Ms. Harpreet Kaur Arora, Advocate,
for the petitioner.

Mr. G.S.Chhinna, AAG, Haryana,
assisted by ASI Surender Singh.

(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.0260 dated 21.11.2020 at Police Station Ismailabad, District Kurukshetra, under Sections 18 of the NDPS Act (Section 29 of the NDPS Act added later on).
2. At the time of issuance of notice of motion on 14.01.2021, the following order was passed:

“Learned counsel for the petitioner submits that it is a case where 55 grams of ‘*opium*’ was recovered from one Vikram Sharma against whom secret information had been received. The said Vikram Sharma is alleged to have suffered a disclosure statement nominating one Jagdeep as his supplier and the said Jagdeep, upon being arrested

further suffered a disclosure statement to the effect that it is the petitioner Nirmal Singh who had supplied the same.

Learned counsel has submitted that no evidentiary value can be attached to such kind of disclosure statements when the petitioner was no where near the place of recovery and was never apprehended at the spot.

Notice of motion for 26.4.2021.

xx xx”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner was not arrested at the spot and has joined investigation and is not wanted in any other case, his custodial interrogation is not required. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 14.01.2021 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.

27.04.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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