

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

I) CRM-M-14006-2021 (O&M)

Amrinder Singh @ Babbu ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-17543-2021 (O&M)

Balkaran Singh and another ... Petitioners

Versus

State of Punjab ... Respondent

Date of Decision:-26.8.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kamal Narula, Advocate,
for the petitioner in CRM-M-14006-2021.

Mr. Jasjeet Singh, Advocate,
for the petitioners in CRM-M-17543-2021.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Ravinder Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Amrinder Singh @ Babbu, Balkaran Singh and Vinod seeking

grant of anticipatory bail in respect of a case registered vide FIR No.28 dated 28.2.2021 at Police Station Bahavwala, District Fazilka under Sections 15/18/21/22/61/85 of Narcotic Drugs & Psychotropic Substances Act, 1985.

2. The FIR in question was lodged on the basis of secret information received by ASI Ramesh Kumar to the effect that Amrinder Singh @ Babbu, Umed Singh, Vinod Kumar, Surinder Kumar @ Pappu, Kuldeep Singh, Mandeep Singh @ Gaggu, Gagandeep Singh, Aman Khicher, Pawan Khicher, Balkaran Singh @ Fauji and Raju indulged in sale of poppy husk, opium, heroin, smack, intoxicating tablets etc. after bringing the same from Rajasthan and used to sell the same at higher rates in Punjab.
3. Learned counsel for the petitioners have submitted that apart from the allegations levelled in the FIR on the basis of some secret information, there is no evidence worth credence to substantiate the allegations levelled therein and that no recovery whatsoever was ever effected from the petitioners.
4. Learned State counsel, upon instructions from SI Ravinder Kumar, has informed that pursuant to interim directions, the petitioners have since joined investigation and that none of the petitioner is involved in any case under NDPS Act.
5. Having considered the submissions addressed before this Court, this Court finds that a large number of accused have been arrayed in the case on the basis of allegations that they indulged in drug peddling without there being any evidence at this stage to substantiate the said allegations. In any case, since the petitioners are stated to have joined investigation, their custodial interrogation is not warranted. Both the petitions, as such, are accepted and the interim directions issued by this Court vide orders dated 25.3.2021 and

19.7.2021 are hereby made absolute subject to the condition that the petitioners 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.

6. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

26.8.2021

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No