

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

CRM-M-14843-2021 (O&M)
Date of Decision:-25.8.2021

Manpreet Singh @ Bhaggu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.S.Jatana, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Pala Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.28 dated 4.3.2021 under Sections 22/25/29 of NDPS Act at Police Station Boha District Mansa.
2. At the time of issuance of notice of motion on 5.4.2021, the following order was passed :

“Learned counsel for the petitioner contends that he was never ever arrested at the spot and has been nominated as an accused on the basis of a disclosure statement allegedly made by co-accused Harjot Singh and from whose possession 1600 tablets of Radol-100 (Tramadol Hydrochloride) are stated to have been recovered.

Learned counsel for the petitioner submits that no credibility can be attached to such like disclosure statements and that the evidentiary value of such disclosure statement would be debatable.

Notice of motion for 25.08.2021.

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, upon instructions from ASI Pala Singh, has informed that pursuant to interim directions, the petitioner has joined investigation and that challan already stands presented. It has, however, been informed that the petitioner stands involved in 3 other cases.
4. I have considered rival submissions addressed before this Court.
5. It is not in dispute that the petitioner was never ever arrested at the spot and came to be nominated as an accused on the basis of disclosure statement made by co-accused Harjot Singh from whose possession the contraband was allegedly recovered. The veracity and admissibility of such disclosure statement would certainly be debatable. In any case, since the petitioner is stated to have joined investigation and investigation has concluded and challan stands presented, the custodial interrogation of the petitioner is not warranted.
6. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 5.4.2021 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.

25.8.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No