

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

CRM-M-11579-2020 (O&M)

Date of Decision:- 7.10.2021

Gurpreet Singh

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Virk, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Arvind Sharma.

(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. 13, dated 27.1.2020, Police Station Baragudha, District Sirsa, under Sections 22(b)/61 of NDPS Act.
2. As per the case of prosecution, on 27.1.2020 co-accused Rajinder Singh and Kamaldeep Singh were apprehended by the police on the basis of a suspicion and upon checking a plastic bag carried by Rajinder Singh, 950 tablets of 'Tramadol' were recovered. It is further the case of prosecution that during the course of interrogation

of both the aforesaid persons, they disclosed that they had purchased the contraband from the petitioner-Gurpreet Singh.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case due to political rivalry and that even as per the case of prosecution he was never arrested at the spot or was seen at the place from where the co-accused were apprehended. It has been submitted that the disclosure statement of the co-accused on the basis of which the petitioner is sought to be arrested which would hardly carry any evidentiary value and as such he deserves the concession of anticipatory bail.
4. Opposing the petition, learned State counsel has submitted that since the co-accused who had been caught red-handed has specifically named the petitioner as their supplier, no case for grant of anticipatory bail is made out. Learned State counsel has however, informed that pursuant to interim directions, the petitioner has since joined investigation and that he is not involved in any other case and that he is not required for any custodial interrogation as challan already stands presented.
5. In view of the aforestated position, especially while noticing that the petitioner has been nominated on the basis of disclosure statement of co-accused, the admissibility of which would be debatable and also bearing in mind that the investigation is already complete and challan stands presented, there is no occasion for custodial interrogation. The petition, as such, accepted and the interim directions issued by this Court vide order dated 19.3.2020 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.

7.10.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No