

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

CRM-M-17766-2021 (O&M)

Date of Decision:- 27.8.2021

Chainchal Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tejinder Pal Singh, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Mukhtiar 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.16 dated 10.2.2021 at Police Station Sadar Tarn Taran, District Tarn Taran under Sections 21(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. At the time of issuance of interim directions on 28.4.2021 the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.16 dated 10.2.2021 at Police

Station Sadar Tarn Taran, District Tarn Taran under Sections 21(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein it is alleged that one Gurjant Singh was found in possession of 450 grams of 'heroin' and one Ranjit Singh @ Rana was found in possession of 550 grams of 'heroin'.

Learned counsel for the petitioner submits that as per the FIR, the secret information was only against the aforesaid two persons and that the petitioner has, however, been nominated subsequently on the basis of an alleged disclosure statement made by the aforesaid two accused to the effect that it is the petitioner, who had supplied the contraband.

Notice of motion for 27.8.2021.

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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Mukhtiar Singh has informed that pursuant to interim directions, the petitioner has joined investigation and that he is not wanted in any other case.
4. In the instant case it is not in dispute that the petitioner was never arrested at the spot nor any recovery was ever effected from him and he has been nominated on the basis of a disclosure statement of co-

accused, the admissibility and veracity of which would be debatable. In any case, since the petitioner is stated to have joined investigation and is not wanted in any other case, the petition merits acceptance and is hereby accepted. The interim directions issued by this Court vide order dated 28.4.2021 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.

27.8.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No