

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

**CRM-M-22056-2021
Date of Decision : 03.06.2021**

Sukhdev Singh @ Sukha

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.81 dated 19.03.2021 under Section 21 of the NDPS Act, registered at Police Station Sadar, Sirsa, District Sirsa, Haryana.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police party, while on patrol duty, apprehended co-accused Jagir Singh @ Jagira and Pardeep Kumar on suspicion of carrying some narcotic substance. Later on, 09 grams of Heroin was recovered from Pardeep Kumar, however, no recovery was effected from Jagir Singh @ Jagira.

Learned counsel for the petitioner further submits that on the disclosure made by Pardeep Kumar and Jagir Singh @ Jagira, the petitioner has been nominated in this case.

Learned counsel for the petitioner further submits that on an earlier occasion, in similar circumstances, the petitioner was nominated on the disclosure of one co-accused in FIR No.91 dated 27.03.2021 in the same Police Station, however, later on during investigation, he was exonerated.

Notice of motion.

Mr. Amit Aggarwal, DAG, Haryana, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State.

Learned State counsel does not dispute the factual position that the petitioner is nominated on the basis of disclosure statement of the aforesaid co-accused.

Accordingly, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

03.06.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No