

114 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
(Through Video Conferencing)

CRM-M-22239-2021
Date of decision: 04.06.2021

Sohan Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vivek Goyal, Advocate for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of pre-arrest bail in FIR No.78 dated 19.05.2021 under Section 15 of NDPS Act, registered at Police Station Raipur Rani District Panchkula.

Learned counsel for the petitioner submits that the police party apprehended co-accused Mohan Singh on suspicion and effected recovery of two bags of poppy husk weighing 9 kg 400 grams. Learned counsel for the petitioner further submits that the petitioner was nominated on the disclosure statement of co-accused, who is his real brother and the petitioner is not involved in any other case and has no such criminal antecedents.

Learned counsel for the petitioner further submits that it will be the matter of trial whether the disclosure statement made by the co-accused will be admissible against the petitioner.

Learned State counsel did not dispute the factual position that the petitioner is nominated on the disclosure statement of co-accused, namely, Mohan Singh.

After hearing learned counsel for the parties, this petition is allowed. In the event of arrest, the petitioner will be released on bail subject to his furnishing bail bonds and surety to the satisfaction of Investigating Officer and the petitioner shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

It will be open for the Investigating Officer to issue a notice in writing to the petitioner to join investigation.

It is also clarified that if the petitioner fails to join the investigation or co-operate in the same, it will be open for the Investigating Officer to move an appropriate application for cancellation of his bail.

04.06.2021
sandeep

(ARVIND SINGH SANGWAN)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No