

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

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CRM-M-24451-2021

Date of Decision: 28.10.2021

Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh Bhatheja, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

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.69 dated 27.04.2021 at Police Station City South Moga, District Moga, under Sections 22/25 of the NDPS Act and Section 25 of the Arms Act.
2. At the time of issuance of notice of motion, the following order was passed:

“Learned counsel for the petitioner contends that as per FIR the police had received secret information to the effect that one Chamkaur Singh and Sunil Kumar indulged in sale of intoxicant tablets and illegal arms and that on the given day they were travelling on Activa scooter bearing registration No. PB-29AD-0370 while carrying intoxicant tablets and illegal arms.

It is further the case of prosecution that pursuant to receipt of aforesaid information barricading was held and Sunil Kumar and Chamkaur Singh were intercepted while they were riding Activa scooter bearing registration No. PB-29AD-0370 and 1150 tablets of ‘Tramadol’ were recovered from them. Apart from this two country made pistols and 20 live cartridges were recovered from Sunil Kumar while the other person namely Chamkaur Singh was

found in possession of 3 country made pistols and 4 live cartridges.

Learned counsel has submitted that he has subsequently falsely been nominated as an accused on the premises that the scooter in question stands registered in his name and that Sunil Kumar had made a disclosure statement to the effect that he along with Vicky had purchased two country made pistols from Chandigarh and that one of the pistol was kept in the house of the petitioner.

It has been submitted that the scooter in question had been borrowed by Sunil Kumar and Chamkaur Singh who were known to him and that he had no knowledge and has no concern with the alleged recovery of contraband or arms.

Notice of motion for 28.10.2021.

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3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not even involved in any other case.
4. Having regard to the aforestated position wherein the petitioner is stated to have joined investigation and is not wanted in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 30.06.2021 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.

28.10.2021

(GURVINDER SINGH GILL)
JUDGE