

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-25242-2021 (O&M)

Date of decision: 30.11.2021

**Balvinder Singh @ Bindu**

**... Petitioner**

**Vs.**

**State of Haryana**

**... Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. K.S. Siwach, Advocate  
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of anticipatory bail in FIR No.136 dated 27.06.2021 under Sections 21(b), 27A (Act No.61) of NDPS Act, registered at Police Station Sadar Ratia, District Fatehabad.

Vide order dated 05.07.2021, the petitioner was granted the concession of interim anticipatory bail.

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation. Learned counsel further submits that the petitioner was nominated in the FIR on the basis of disclosure statement of co-accused

Jaswant Singh @ Santu and has relied upon a judgment of the Hon'ble Supreme Court in *Tofan Singh Vs. State of Tamil Nadu, 2013(4) RCR (Criminal) 631*, to submit that it will be a debatable issue whether the disclosure statement made by co-accused will be admissible against the petitioner or not.

Learned State counsel, on instructions from ASI Ramesh Kumar, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 05.07.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ ARVIND SINGH SANGWAN ]  
JUDGE

30.11.2021  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No