

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

CRM-M-25683-2021 (O&M)
Date of Decision:-10.11.2021

Sucha Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Manjot Kaur, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by ASI Pooran Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.10 dated 9.1.2021 at Police Station City Samana, District Patiala under Section 22 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion on 7.7.2021, the following order was passed:

“Learned counsel for the petitioner submits that the FIR in question was lodged on the basis of a secret information allegedly received against the petitioner to the effect that he indulged in sale of intoxicant tablets and that he was sitting in his fields having

intoxicant tablets and if a raid is conducted he could be apprehended with huge quantity of intoxicant tablets. On the basis of secret information a raid was conducted. The petitioner upon noticing the police party fled away from the spot while throwing a polythene bag which he was carrying which was found to be containing 800 intoxicant tablets.

Learned counsel has submitted that he has been falsely implicated in the instant case and that the very fact that he was never ever arrested at the spot despite the alleged prior secret information goes to show that the entire case has been fabricated against the petitioner.

Notice of motion for 10.11.2021.

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

3. Learned State counsel, upon instructions from ASI Pooran Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation. It has also been informed that the petitioner stands involved in 3 other cases.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the fact that the petitioner was never apprehended at the spot despite the fact that police claims to have prior secret information and while also bearing in mind that the petitioner has already joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 7.7.2021 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.

10.11.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No