

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

**CRM-M-23130-2020**

**Date of decision:09.03.2021**

Nirmal Singh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Aditya Sanghi, Advocate for the petitioner

Mr. Apoorv Garg, D.A.G. Haryana.

**HARNARESH SINGH GILL, J. (ORAL)**

Case is taken up for hearing through video conferencing.

This is a petition for anticipatory bail to the petitioner in case bearing FIR No.171 dated 24.07.2020 under Sections 22(C) of the Narcotic Drugs and Psychotropic Substances Act of 1985 and Section 18-A and 18 (c) of the Drugs and Cosmetics Act, 1940 registered at Police Station Kalanwali, District Sirsa, Haryana.

Vide order dated 18.08.2020 passed by this Court, *ad-interim* anticipatory bail was granted to the petitioner.

Learned counsel for the petitioner submits that in compliance of the order dated 18.08.2020 passed by this Court, the petitioner has joined the investigation. It is further submitted that the petitioner was not apprehended on the spot but he was nominated on the

disclosure statement of co-accused Ram Singh. No recovery was effected from the petitioner at that stage. He relies upon the judgments of the Hon'ble Supreme Court passed in Criminal Appeal-152-2013 titled as Tofan Singh Vs. State of Tamil Nadu, decided on 29.10.2020, and in the case titled Surinder Kumar Khanna vs. Intelligence Officer Directorate of Revenue Intelligence, 2018 AIR SC 3574.

Learned State counsel, while opposing the prayer for grant of bail to the petitioner, relies upon the judgment of Hon'ble Supreme Court passed in Satpal Singh Vs. State of Punjab 2018 AIR (SC) 2011, judgment of Kerala High Court passed in State of Kerala represented by the Inspector of Police Vs. Mohammed Riyas 2020 (3) ILR (Kerala) 879 and judgments of the Coordinate Benches of this Court passed in CRM-M-35482-2020 titled Surender Vs. State of Haryana, decided on 03.11.2020 and in CRM-M-34484-2020 titled Akashdeep Vs. State of Punjab, decided on 19.11.2020. He, on the instructions from ASI Raj Kumar, submits that the petitioner has joined the investigation but is required for further investigation.

I have heard learned counsel for the parties.

As noticed above, in the present case, the petitioner was not apprehended on the spot but he was nominated on the disclosure statement of co-accused Ram Singh. No recovery was effected from the petitioner at that stage.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 18.08.2020

granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

09.03.2021  
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(HARNARESH SINGH GILL)  
JUDGE

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|-----------------------------------|---------------|
| <i>Whether reasoned/speaking?</i> | <i>Yes/No</i> |
| <i>Whether reportable?</i>        | <i>Yes/No</i> |