

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

209

**CRM-M-32790-2021
Date of Decision: 09.12.2021**

Harpinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Arshit Goel, Advocate, for
Mr. Manuj Nagrath, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Balwinder Singh.

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.48 dated 03.03.2021 at Police Station Dehlon, District Ludhiana, Punjab, under Section 15 NDPS Act (under Sections 25 and 29 NDPS Act).
2. At the time of issuance of notice of motion on 13.08.2021 the following order was passed:

“Petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No. 48, dated 3.3.2021, Police Station Dehlon, District Ludhiana, under Section 15 of NDPS Act.

As per case of prosecution, a secret information was received by the police to the effect that one Varun Sharda @ Veenu was coming on a truck bearing registration No. PB-10HF-8285 and that he had hidden a bag containing ‘Poppy Husk’ in the tool box of the truck. Pursuant to the said information barricading was held and the truck in question was intercepted. However, said Varun Sharda is stated to have escaped from the spot. The search of the truck led to recovery of 40 kg of ‘Poppy Husk’.

Learned counsel for the petitioner submits that he is nowhere named in the FIR and has been subsequently been nominated as an accused on the basis of a disclosure statement allegedly made by Varun Sharda to the effect that it is the petitioner who is owner of the truck in question.

Notice of motion for 9.12.2021.

xxx xxx xxx”

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.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 13.08.2021 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.

09.12.2021

Vimal/VY

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**