

**104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-33177-2021
Date of decision: 17.08.2021****Sukhwinder Singh****...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN****Present:-** Mr. Judgepreet Singh Warring, Advocate
for the petitioner.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 0025 dated 26.06.2021 under Section 22 of the NDPS Act, 1985 registered at Police Station GRP Bathinda, District Govt. Rly. Police.

Learned counsel for the petitioner submits that as per allegations in the FIR registered at the instance of ASI Jagjit Singh, it is stated that he along with other co-officials was on patrol duty. The police party saw two suspects of carrying some intoxicants and on seeing the police party, they tried to fled away from the spot. On inquiry, one person disclosed his name as 'Harmandeep Singh @ Harry' and the second person disclosed his name as 'Parwinder Singh @ Sonu' and 900 intoxicant tablets of Carisoma and 90 intoxicant bottles of vials of Biorex-New each of 100 ml. were recovered from them. Thereafter, both the co-accused nominated the petitioner as an accused from whom they had taken the money to buy the contraband.

Learned counsel for the petitioner further submits that the only evidence against the petitioner is that he has been nominated on the

disclosure of the co-accused.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also present through video conferencing accepts notice on behalf of the respondent-State.

Learned State counsel submits that it has come in the disclosure statement of the co-accused that the petitioner has given them a mobile phone having number 94630-56223 and Rs.30,000/- to bring the contraband.

Learned State counsel further submits that in pursuance to the disclosure statement, during investigation it has been found that the call detail records of the co-accused with the petitioner on the date when they were arrested show that on number of occasions they had communicated with each other which corroborates the allegation in the disclosure statement and therefore, it is not a case where only a disclosure has been made and rather some other evidence has also come on record.

Learned State counsel further submits that in order to find out the involvement of the petitioner in any other case, his custodial investigation is required.

Faced with this, learned counsel for the petitioner, seeks permission to withdraw the present petition, at this stage.

Dismissed as withdrawn, at this stage.

17.08.2021
Chetan Thakur

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No