

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

204

CRM-M-41141-2021 (O&M)
Date of Decision: 01.11.2021

Mohan Lal

... Petitioner

VS.

State of Punjab

... Respondent

Coram: Hon'ble Mr. Justice Arvind Singh Sangwan

Present: Mr. TVS Lehal, Advocate for the petitioner

Mr. JP Ratra, DAG Punjab

Arvind Singh Sangwan, J. (Oral)

Prayer in the petition is for grant of anticipatory bail to the petitioner in case FIR No.42 dated 23.03.2021, registered under Sections 21 and 29 (added lateron) NDPS Act, 1985, at Police Station Division No.2, Pathankot.

The operative part of the order dated 01.10.2021, vide which the petitioner has been granted interim bail, is reproduced below:-

“Learned counsel contends that the petitioner has been implicated in the instant case solely on the basis of disclosure statement made by co-accused, Gopal and his daughter, Anjali, from whom 7 grams of heroin was allegedly recovered at the time of their arrest on 23.03.2021 and they are stated to have made a disclosure statement that they had purchased heroin from the petitioner, but apart from the disclosure statement, there is no other material to connect the petitioner with the commission of the offence, besides the petitioner is ready and willing to join investigation and fully cooperate in the same.

Notice of motion.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 01.10.2021, has already appeared before the SHO/Investigating Officer and joined the investigation.

Learned counsel for the State, on instructions from SI Inderjit Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 01.10.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

01.11.2021

vishal shonkar

- 1. *Whether speaking/reasoned?*
- 2. *Whether reportable?*

(Arvind Singh Sangwan)
Judge

Yes/No
Yes/No