

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-32178-2019 (O&M)
Date of Decision: 23.09.2021

Gejo ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. K.S. Dhaliwal, Advocate, for the petitioner.

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

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against her vide FIR No.111 dated 25.06.2019 at Police Station City Sunam, District Sangrur, under Sections 21/29 of the NDPS Act.
2. The FIR was lodged on the basis of a secret information received by the police on 25.06.2019 to the effect that Kartik Kumar and Deepak Kumar indulged in sale of *heroin* and that even on the said date, the said 2 persons were proceeding from Sangrur towards Sunam on their motorcycle bearing registration No.PB-65-M-7481 for the purpose of selling *heroin*. Pursuant to receipt of said information, barricading was held and the police was able to apprehend both the accused and *heroin* weighing 35 grams was recovered from them.

3. It is further the case of the prosecution that the said accused during the course of interrogation disclosed that they had purchased the said contraband from the petitioner.
4. Learned counsel for the petitioner has submitted that she has falsely been implicated in the instant case on the basis of disclosure statement, which would hardly carry any evidentiary value.
5. Opposing the petition, learned State counsel has informed that since the petitioner has specifically been named by the co-accused from whom recovery was effected, no case for grant of bail is made out. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that she is involved in several other cases.
6. I have considered rival submission addressed before this Court.
7. Having regard to the fact that the petitioner has been nominated on the basis of disclosure statement, the veracity and admissibility of which would be debatable and that the petitioner has already joined investigation and even challan is stated to have already been filed, her custodial interrogation is not warranted . The petition, as such, is accepted and the interim directions issued by this Court vide order dated 20.11.2019 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.

23.09.2021

VY

(GURVINDER SINGH GILL)**JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**