

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

205

**CRM-M-40321-2020 (O&M)
Date of Decision: 27.04.2021**

Hardev Singh @ Ravi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Dinesh Kumar Prajapati, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, Addl. AG, Punjab,
assisted by ASI Rakesh Kumar.

(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 him vide FIR No.0193 dated 05.11.2020 at Police Station Division No.1, Police Commissionerate Jalandhar, under Section 22 read with Section 29 of the NDPS Act.
2. As per the case of the prosecution, on 05.11.2020 when the police party was conducting patrolling and checking, then a lady who was carrying a black coloured heavy polythene bag in her right hand was checked and the bag being carried by her was found to contain 55 injections i.e. 09 injections of Pheniramine Maleate Avil 10 ml each and 46 injections of Rexogesic Buprenorphine 2 ml each. It is further the case of the prosecution that during the course of

interrogation, she disclosed that the said injections had been brought by her husband Hardev Singh @ Ravi, who used to sell the same in the area.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and was never ever arrested at the spot.
4. Opposing the petition, learned State counsel has submitted that since the wife of the petitioner has made a categorical statement nominating the petitioner as a co-accused, no case for grant of anticipatory bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner was never arrested at the spot and no recovery whatsoever was ever effected from him and as per the instructions received by the learned State counsel, he is not even involved in any other case, the petition is accepted particularly keeping in view the fact that the evidentiary value of the disclosure statement on the basis of which he is arrayed as an accused would be debatable. Accordingly, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

27.04.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No