

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-49195-2019 (O&M)
Date of Decision:-7.9.2021

Tejinder Singh	Versus	... Petitioner
State of Punjab		... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok Giri, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Jasvir Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.354 dated 14.10.2019 at Police Station Phillaur, District Jalandhar Rural under Sections 15 and 25 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion on 20.11.2019, the following order was passed:

“It is contended by learned counsel for the petitioner that the petitioner is being wrongly dragged in this case. The petitioner is sought to be involved only on the basis of the alleged disclosure statement of the accused, from whom, 100 kgs. of poppy husk is alleged to have been recovered. However, except the disclosure statement, there is nothing to connect the petitioner to the alleged crime. The petitioner does not have any connection with the alleged car involved in the offence. There is no other case against

the petitioner. Although earlier the petitioner was involved in another case under the NDPS Act, however, he has already undergone the sentence in that case.

Notice of motion for 1.4.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from SI Jasvir Singh, has informed that pursuant to interim directions the petitioner has since joined investigation and that challan already stands presented. It has also been informed that one more case under NDPS Act also stands registered against the petitioner.
4. Having regard to the facts and circumstances of the case especially that the petitioner came to be nominated on the basis of a disclosure statement and has since joined investigation, wherein challan also stands presented, his 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.

7.9.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No