

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

**CRM-M No.53298 of 2019
Date of Decision:10.11.2021
(Heard through VC)**

Prem Singh ...Petitioner
Vs
State of Haryana ...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Mr. Gurmeet Singh, AAG, Haryana.

JAISHREE THAKUR J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.308 dated 20.11.2019 registered under Sections 21(C) of NDPS Act at Police Station City Narwana, District Jind.
2. By an order dated 13.12.2019, this Court had granted interim bail to the petitioner and directed him to join investigation.
3. Learned counsel appearing on behalf of the respondent-State on instructions from Investigating Officer submits that petitioner has joined investigation but he is not cooperating with the Investigating Agency.
4. I have heard learned counsel for the parties. It is an admitted fact that the petitioner has been nominated as an accused on the basis of disclosure statement of co-accused and the said confession made to a police officer cannot be used as evidence against the person accused of offence under the NDPS Act, in view of the judgment rendered by Hon'ble Supreme Court in *Tofan Singh Vs. State of Tamil Nadu 2021 (1) RCR (CrL) 1*.

Therefore, in view of the fact that the petitioner has joined investigation, the

instant petition is allowed and the order dated 13.12.2019 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

(JAISHREE THAKUR)
JUDGE

November 10, 2021

P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No