

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

CRM-M-505-2022
Date of Decision:-18.04.2022

MANINDER SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. B.S. Mamli, Advocate for
Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail in case having FIR No.279 dated 19.12.2021 registered under Sections 21-B and Section 27-A of NDPS Act at Police Station Tohana District Fatehabad.

The counsel for the petitioner submitted that petitioner has joined investigation with the police on the basis of order dated 20.1.2022 passed by the Court.

The State counsel on instructions from ASI Rohtash Kumar has admitted this fact and further submitted that petitioner is not required by the police for any custodial interrogation.

The petitioner is not named in the FIR which was registered against Charanjit Singh @ Kala from whom 30 grams of Heroin was recovered on 19.12.2021. The petitioner was nominated as an accused on the basis of alleged disclosure made by Charanjit Singh @ Kala to the police to the effect that the aforesaid contraband was supplied to him by the present petitioner. Admittedly the petitioner is not facing any other case under NDPS Act.

The relevance and admissibility of the alleged disclosure made by the co-accused Charanjit Singh @ Kala in absence of any supporting document is a matter of trial. Further the case is involving recovery of only non-commercial quantity of contraband.

In view of the above, no purpose would be served even if the petitioner is subjected to custodial interrogation at this stage. Consequently present petition is allowed and order dated 20.1.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

18.04.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No