

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

**CRM-M-1816 of 2022
Date of Decision:- 16.05.2022**

Shamsher Singh alias Shera

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ajay Kumar, Advocate
for Mr. Rishu Mahajan, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for anticipatory bail to the petitioner in case having FIR No.226 dated 24.10.2021 registered under Sections 21/29 of NDPS Act, 1985, Police Station Gharinda, Amritsar.

As per the allegations appearing on record the police recovered 30 grams of heroin from co-accused Sona Singh alias Sona and later on the petitioner was nominated as an accused on the basis of alleged disclosure made by aforesaid Sona Singh.

The counsel for the petitioner has submitted that the petitioner has joined the investigation with the police on the basis of order of interim bail dated 17.01.2022. The State counsel on

instruction of ASI Baljit Singh has not refuted this fact and further stated that the petitioner is not required by the police for any further investigation.

Admittedly, in the present case 30 grams of heroin was recovered from the possession of aforesaid co-accused Sona Singh. As per the disclosure made by Sona Singh, the said heroin was purchased by him from petitioner Shamsher Singh. The veracity of aforesaid disclosure made by the co-accused would be considered during the trial by the court concerned. The petitioner has joined the investigation and now is not required by the police for any further investigation or custodial interrogation.

In the light of the above, without commenting on the merits of the case, the present petition is allowed and order granting interim bail dated 17.01.2022 to the petitioner is hereby made absolute subject to the condition envisaged under Section 438(2) Cr.P.C.

The observations made herein above shall not be construed as an expression on the merits of the case.

16.05.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No