

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

**CRM-M-3398-2022
Date of decision: 04.04.2022**

Jagroop Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Priyanshu Kamra, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 0129 dated 12.06.2021, registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City 1 Abohar, District Fazilka.

The operative part of the order dated 28.01.2022, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner argues that petitioner has been roped in the present case only on the basis of disclosure statement of co-accused, namely, Jagraj Singh from whom the contraband was recovered. Learned counsel for the petitioner submits that the only alleged allegation against the petitioner is that petitioner had transferred certain amount of money to the account of co-accused Jagraj Singh to allege that the contraband was purchased by Jagraj Singh on the asking of the petitioner. Learned counsel further submits that Jagraj Singh is a next door neighbour of the petitioner and the said amount was transferred on the asking of Jagraj Singh as he needed

certain amount of money.

Notice of motion.

Mr. Kirat Singh Sidhu, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the petitioner has been involved on the basis of the disclosure statement of coaccused Jagraj Singh from whom the contraband was recovered as according to the said disclosure statement, co-accused Jagraj Singh had only gone to collect the contraband at the behest of the petitioner.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that there are no other cases against the petitioner and the allegation whether the money transferred by the petitioner in the account of co-accused Jagraj Singh was meant for purchasing the contraband or not, is yet to be proved during the course of investigation and thereafter, in the trial and as the petitioner has undertaken before this Court to join the investigation and cooperate coupled with the fact that nothing is to be recovered from the petitioner, the purpose of investigation will be achieved, in case petitioner is directed to join the investigation and cooperate.

As the petitioner has undertaken to join the investigation and co-operate with the same, he has made out a case for the grant of anticipatory bail.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 28.01.2022, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 28.01.2022, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

04.04.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No