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

CRM-M-4379-2022

Date of Decision: 24.11.2022

Ninderpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. L.S. Sekhon, Advocate,
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.84, dated 17.09.2021, under Sections 22 & 29 of the NDPS Act registered at Police Station Khanauri, District Sangrur.

Learned counsel for the petitioner has submitted that it is a case where there was an alleged recovery of 260 tablets of *Tramadol* which does not fall in the category of commercial quantity and the same was made from Gurpreet Singh @ Gagandeep Gaggu, who was arrested on the spot and it was only on the basis of his disclosure statement, the name of the present petitioner was nominated in the present FIR. He further submitted that the petitioner was granted interim anticipatory bail by this Court on 14.03.2022

and in pursuance thereof, the petitioner has joined the investigation and has fully co-operated with the investigation process and has prayed that the aforesaid order dated 14.03.2022 may be made absolute.

Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab, has stated on instructions from A.S.I. Sukhwinder Singh, that it is correct that the name of the petitioner was nominated on the basis of disclosure statement of the co-accused and the confiscated quantity does not fall in the category of commercial quantity. On a query being raised to the learned State counsel that as to whether the petitioner is involved in any other case or not, he has stated on instructions that the petitioner is not involved in any other case. He further submitted that in pursuance of the order passed by this Court on 14.03.2022, the petitioner has joined investigation and he has fully cooperated with the investigation process and in fact the investigation has been completed and now challan has also been presented before the competent Court. He also submitted that he has a specific instructions to say that the petitioner is not required for custodial interrogation.

I have heard the learned counsel for the parties.

In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant anticipatory bail to the petitioner.

Consequently, the present petition is allowed and the order dated 14.03.2022, whereby the petitioner was directed to join the investigation, is hereby made absolute.

24.11.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |