

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

**CRM-M-4709-2022
Date of decision: 04.02.2022**

Goldy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. S. Brar, Advocate
for the petitionr.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 278 dated 23.11.2021, registered under Section 22 of the NDPS Act, 1985 at Police Station City South Moga, District Moga.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police, on receiving a secret information against one Gobind Singh @ Gora, conducted a search and arrested him and recovered 220 intoxicant tablets.

Learned counsel further submits that later on, the petitioner was nominated on the disclosure of the aforesaid co-accused after two days. It is further submitted that the petitioner is not involved in any other case and he has no antecedents of involvement in any other case under the NDPS Act.

Learned counsel further submits that it will be a matter of trial whether the disclosure of a co-accused will be admissible against the petitioner or not.

Learned State counsel, on instructions from the Investigating

Officer, has not disputed the factual position.

After hearing learned counsel for the parties, considering the aforesaid submissions of learned counsel for the parties and also in view of the judgments rendered in *Tofan Singh vs. State of Tamil Nadu, (2021) 4 SCC 1* and *State By (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr. 2022 Live Law (SC) 69*, the present petition is allowed and the petitioner is granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

04.02.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No