

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7103-2022 (O&M)

Date of Decision:- 01.8.2022

Prabhdeep Singh

.... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab,
assisted by ASI Gurnam Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.143 dated 25.9.2021, Police Station Sadar Jagraon, District Ludhiana (Rural), Punjab under Sections 15, 25, 61 and 85 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion the following order was passed on 21.2.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR

No.143 dated 25.9.2021, Police Station Sadar Jagraon, District Ludhiana (Rural), Punjab under Sections 15, 25, 61 and 85 of Narcotic Drugs & Psychotropic Substances Act.

As per the case of prosecution, one Gurpreet Singh @ Bhola, while driving a truck bearing registration No.PB-11CM-7312, was intercepted by the police pursuant to receipt of secret information and upon search of the truck, 100 kilograms of 'poppy husk' was recovered. Upon interrogation, said Gurpreet Singh @ Bhola disclosed that he had procured the said 'poppy husk' from one Chatter Bedi Sharma. It is further the case of prosecution that the truck being driven by Gurpreet Singh @ Bhola was found to be registered in the name of the petitioner, who is none else but real brother of said Gurpreet Singh @ Bhola.

Learned counsel for the petitioner submits that the petitioner was never found anywhere near the truck or ever found in possession of any contraband and has been nominated as an accused solely on account of the fact that he happens to be registered owner of the truck in question. It has been submitted that the petitioner had no clue whatsoever as regards the alleged transportation of 'poppy husk' in the truck in question, which at the given point of time was in possession of his brother, who was driving the same.

Notice of motion for 1.8.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Gurnam Singh, has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for custodial interrogation. It has also been informed that the petitioner is not wanted in any other case.
4. Having regard to the aforestated position wherein the petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 21.2.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

01.8.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No