

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

CRM-M-8486-2022 (O&M)
Date of Decision:-7.9.2022

Karnail Singh @ Chuchu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.S. Dhaliwal, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by SI Renu.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.7, dated 29.1.2022, Police Station Tapa Mandi, District Barnala, under Sections 21 and 22 of NDPS Act.
2. At the time of issuance of notice of motion, the following order was passed on 28.2.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.7, dated 29.1.2022, Police Station Tapa Mandi, District Barnala, under Sections 21 and 22 of NDPS Act.

The FIR was lodged pursuant to receipt of secret information to the effect that petitioner-Karnail Singh and Jyoti Rani indulged in sale of chitta (intoxicant powder). It is further alleged that pursuant

to receipt of said information a raid was conducted at the house of Jyoti Rani and 181 grams of chitta and 900 tablets of 'Tramadol Hydrochloride' were recovered. It is further the case of prosecution that upon interrogation said Jyoti Rani disclosed that she was into the said business alongwith petitioner Karnail Singh.

Learned counsel for the petitioner submits that he was never ever found at the spot and have been nominated on the basis of disclosure statement which would hardly carry any evidentiary value.

Notice of motion for 7.9.2022.

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 the 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. Status reply by way of affidavit of Sh. Ravinder Singh, PPS, Deputy Superintendent of Police, Sub-Division, Tapa, District Barnala has been filed by learned State counsel, which is taken on record.
4. Learned State counsel, upon instructions from SI Renu, has informed that pursuant to interim directions, the petitioner has since joined investigation. Learned State counsel has further informed that the petitioner is not involved in any other case. It has also been informed that challan already stands presented and infact even charges have been framed.
5. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and challan already stands presented, the petition is accepted and the interim directions issued by this Court vide order dated 28.2.2022 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.

7.9.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No