

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

206

CRM-M-9708-2021

Date of Decision : April 28, 2022

JARNAIL SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. K.S.Dargan, Advocate for
Mr. Kuldeep Singh, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The learned State counsel on instructions from HC Mota Singh has stated that in the present case the recovery was of 700 grams of opium from the co-accused and the petitioner was nominated only on the basis of a disclosure statement and he has submitted that as of now there is no sufficient material available with the prosecution to connect the petitioner with the present case. He further submitted that the petitioner is not involved in any other case pertaining to the NDPS Act.

He has further submitted on instructions from HC Mota Singh that in pursuance to the order passed by this Court on 5.4.2021, the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for custodial investigation.

In view of the specific stand taken by the learned State counsel wherein the bail has not been opposed by the State, the bar contained under Section 37 of the NDPS Act will not apply.

In view of the aforesaid, the present petition is allowed and order dated 5.4.2021 is, hereby, made absolute.

(JASGURPREET SINGH PURI)
JUDGE

April 28, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No