

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

CRM-M-18416-2022 (O&M)  
Date of Decision:-13.9.2022

Manjinder Kaur @ Sona ... Petitioner

Versus

State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Ghulam Nabi Malik, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab,  
assisted by ASI Amrik Singh.

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**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.53, dated 16.4.2022, at Police Station Sadar Ahmedgarh, District Malerkotla, under Section 22 of Narcotic Drugs & Psychotropic Substances Act, wherein offence under Sections 61/85/29 of NDPS Act was added later on.
2. At the time of issuance of notice of motion, the following order was passed on 5.5.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.53, dated 16.4.2022, at Police Station Sadar Ahmedgarh, District Malerkotla, under Section 22 of Narcotic Drugs & Psychotropic

Substances Act, wherein offence under Sections 61/85/29 of NDPS Act was added later on.

The FIR was lodged on the basis of secret information received by the police to the effect that Manpreet Singh indulged in sale of intoxicant tablets. Pursuant to receipt of said information, aforesaid Manpreet Singh was arrested by the police, who was found in possession of 340 intoxicant capsules. It is further the case of prosecution that during the course of interrogation, he nominated the petitioner to be also associated with him.

Learned counsel for the petitioner submitted that the petitioner, who is a lady, has been falsely implicated in the present case solely on the basis of a disclosure statement made by the co-accused from whom some recovery was effected and that such like disclosure statement would not carry any evidentiary value so as to hold the petitioner responsible in any manner.

Notice of motion for 5.9.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her 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. When the matter was taken up on 5.9.2022, this Court had put a query to the Investigating Officer ASI Amrik Singh, as to whether any call-details in respect of the accused had been collected, so as to establish any connection between the petitioner and co-accused Manpreet Singh.
4. ASI Amrik Singh is present in the Court alongwith call-details record.
5. Learned State counsel has informed that upon scrutinizing the call-details record, it has been found that no calls were exchanged between the petitioner

and co-accused Manpreet Singh. Learned State counsel, however, opposed the petition on the ground that the petitioner happens to be involved in 5 other cases of similar nature. It has been informed that the petitioner has otherwise joined investigation.

6. This Court has considered the rival submissions.
7. The petitioner has been nominated as an accused on the basis of a disclosure statement made by a co-accused. Unless the said disclosure statement is corroborated by other convincing evidence, the same would hardly carry any evidentiary value. The call-details record, which has been produced today, is stated to have been examined by the Investigating Officer, who has informed that there is nothing in the call-detail to suggest that any calls were exchanged between the petitioner and co-accused. Though the learned State counsel has informed that the petitioner is involved in other cases, but the same by itself is not sufficient to hold the petitioner guilty in the absence of any other convincing evidence. In these circumstances, the petitioner, who is a lady, and is already stated to have joined investigation, deserves the concession of anticipatory bail.
8. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 5.5.2022 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.

**13.9.2022**

pankaj

Whether speaking /reasoned  
Whether Reportable

**( Gurvinder Singh Gill )  
Judge**

Yes / No  
Yes / No