

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

CRM-M-25524-2022 (O&M)
Date of Decision:-31.10.2022

Mandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Inder Pal Singh, Advocate for
Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Krishan Kumar.

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.114, dated 5.6.2021, Police Station City Sunam, District Sangrur, under Sections 22 and 29 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion, the following order was passed on 2.6.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.114, dated 5.6.2021, Police Station City Sunam, District Sangrur, under Sections 22 and 29 of Narcotic Drugs & Psychotropic Substances Act.

The FIR was lodged pursuant to receipt of secret information on 5.6.2021 to the effect that Gurtej Singh supplies intoxicating

tablets in the area of Sunam and would be coming there for selling intoxicants. Pursuant to receipt of said information, barricading was held and the aforesaid Gurtej Singh was apprehended by the police while being in possession of 1000 tablets of 'Tramadol Hydrochloride'. It is further the case of prosecution that during the course of interrogation, said Gurtej Singh disclosed that he had procured the said tablets from Mandeep Singh (petitioner).

Learned counsel for the petitioner submits that the petitioner was never arrested at the spot and nor was found in possession of any contraband and that he has been nominated as an accused on the basis of a disclosure statement made by co-accused Gurtej Singh, which would not carry any evidentiary value particularly in the absence of any other connecting evidence.

Notice of motion for 31.10.2022.

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 Krishan Kumar, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and he is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 2.6.2022 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.

31.10.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No