

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

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CRM-M-27975-2022

Date of Decision: 05.12.2022

Makhan Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: None for the petitioner.

Mr. Abhinash Jain, DAG, Haryana,
assisted by ASI Vinod Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.742 dated 15.6.2022, Police Station Sadar Hisar, District Hisar, under Section 21 of Narcotic Drugs & Psychotropic Substances Act.
2. At the time of issuance of notice of motion on 04.07.2022, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.742 dated 15.6.2022, Police Station Sadar Hisar, District Hisar, under Section 21 of Narcotic Drugs & Psychotropic Substances Act.

As per the case of prosecution co-accused Satnam Singh @ Sattu was apprehended by the police, who was found in possession of 5.85 grams of ‘heroin’. During the course of interrogation, said Satnam Singh @ Sattu disclosed that he had procured 6 grams of ‘heroin’ from the petitioner.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and he is not involved in any other case. It has further been submitted that, in

any case, a disclosure statement is a weak type of evidence and would hardly carry any evidentiary value in the absence of any other corroborative evidence.

Notice of motion for 5.12.2022.

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 has informed that pursuant to interim directions issued by this Court, though the petitioner has joined investigation, but he has not got any amount recovered and as such, his custodial interrogation would be required. Learned State counsel has, however, informed that the petitioner otherwise is not wanted in any other case.
4. Having regard to the aforestated position particularly the fact that the name of the petitioner came to be nominated on the basis of a disclosure statement and the petitioner has otherwise joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 04.07.2022 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.

05.12.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No