

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

CRM-M-28696-2022 (O&M)
Date of Decision:- 12.12.2022

Naman @ Naman Taneja

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sudhanshu Khanna, Advocate for
Mr. S.P.S.Sidhu, Advocate, for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by ASI Sahib Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.52 dated 11.6.2022, Police Station Khui Khera, District Fazilka, under Section 22 of Narcotic Drugs and Psychotropic Substances Act.
2. At the time of issuance of interim bail the following order was passed on 8.7.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.52 dated 11.6.2022, Police Stationi Khui Khera, District

Fazilka, under Section 22 of Narcotic Drugs and Psychotropic Substances Act.

As per the case of prosecution, a secret information was received by the police to the effect that Bhim Singh (non-petitioner) and Naman @ Naman Taneja (petitioner) indulged in sale of intoxicant tablets and that a huge quantity of such tablets had been kept in the house of Bhim Singh. Pursuant to receipt of said information, a raid was conducted at the premises of Bhim Singh, who was arrested at the spot and 15000 tablets of Clovidol-100-SR were recovered from his house.

Learned counsel for the petitioner submitted that the petitioner was never found at the spot and has been nominated on the basis of information allegedly furnished by some secret informer. Learned counsel submits that since no recovery whatsoever was ever effected from him nor he was found present alongwith the co-accused from whom recovery was effected, his complicity cannot be established.

Notice of motion for 12.12.2022.

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 from ASI Sahib Singh, has submitted that the petitioner has joined investigation and is not required for any custodial interrogation.

4. In view of the aforesaid position wherein the petitioner has joined investigation and he is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 8.7.2022 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.

12.12.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No