

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

CRM-M-34441-2021 (O&M)
Date of Decision:- 5.1.2022

Sony Singh @ Mani Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Manjeet Kaur, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by ASI Jagtar Singh.

(Proceedings conducted through video conferencing)

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.35, dated 10.4.2021, Police Station Barnala, District Barnala, under Sections 22 and 25 of NDPS Act.
2. At the time of issuance of interim directions the following order was passed on 24.8.2021:

“The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.35, dated 10.4.2021,

Police Station Barnala, District Barnala, under Sections 22 and 25 of NDPS Act.

The FIR was lodged on the basis of secret information to the effect that Sony Singh @ Mani Singh (petitioner) and Karnail Singh indulged in sale of intoxicating tablets and that even on the given day they were proceeding in a white coloured Swift car bearing registration No. DL-1CN-1106 for supplying the tablets in the area of Barnala and Handiaya.

Pursuant to receipt of said information barricading was held and the car bearing registration No. DL-1CN-1106 driven by Karnail Singh was intercepted. The search of the car led to recovery of 1,20,000 tablets of 'Alprsafe' and 35,000 intoxicating tablets of RL-DOL 100 SR.

It is further the case of prosecution that during the course of interrogation the aforesaid Karnail Singh disclosed that on an earlier occasion Sony Singh @ Mani (petitioner) had sold 3 boxes of intoxicating tablets to him.

Learned counsel for the petitioner submits that petitioner was never arrested at the spot and nor any recovery was ever effected from him and has been nominated solely on the basis of a disclosure statement made by co-accused Karnail Singh which would hardly carry any evidentiary value.

Notice of motion for 4.1.2022.

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 the 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. The learned State counsel, upon instructions from ASI Jagtar Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required. It has however, been informed that the petitioner stands involved in two other cases.
4. Having regard to the nature of allegations and the fact that the petitioner has already joined investigation and his custodial interrogation is not required, the petition is accepted and the interim directions issued by this Court vide order dated 24.8.2021 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.

05.1.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No