

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

213

CRM-M-39470-2021

Date of Decision: 10.02.2022

Lakhvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ruhani Chadha, Advocate, for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab,
assisted by ASI Lakhvir 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 vide FIR No.103 dated 4.6.2021 at Police Station Shahkot, District Jalandhar under Section 21(c) of Narcotic Drugs & Psychotropic Substances Act and Section 25 of Arms Act, wherein offence under Section 29 of NDPS Act was added later on.
2. At the time of issuance of notice of motion on 22.09.2021, the following order was passed:

“The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.103 dated 4.6.2021 at Police Station Shahkot, District Jalandhar under Section 21(c) of Narcotic Drugs & Psychotropic Substances Act and Section 25 of Arms Act, wherein offence under Section 29 of NDPS Act was added later on.

As per the case of prosecution, a police party during the course of patrolling on 4.6.2021 intercepted a Verna Car bearing registration No.PB-09-AG-9419 in which 3 persons were travelling. The search of the driver namely Hans Raj @ Hans led to recovery of 700 grams of

'heroin'. The passenger namely Balwinder Singh @ Goppi sitting on the front seat next to driver, was found in possession of 200 grams of 'heroin' and the person sitting on the rear seat namely Kulbir Singh @ Lakha was found in possession of 100 grams of 'heroin'. It is further the case of prosecution that one pistol was also recovered from dashboard of the car. It is alleged that during the course of interrogation the accused Hans Raj @ Hans suffered a disclosure statement to the effect that he had procured the pistol from petitioner Lakhvir Singh son of Jarnail Singh.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case on the basis of alleged disclosure statement made by co-accused Hans Raj @ Hans. Learned counsel has submitted that the pistol stated to have been recovered is a country made pistol and cannot be connected with the petitioner in any manner. It has also been submitted that the petitioner has a clean record and has never indulged in any kind of offence earlier and has apparently been falsely implicated.

Notice of motion for 10.2.2022.

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, the petitioner has since joined investigation and is not required for any custodial interrogation. It has, however, been submitted that the petitioner stands involved in one more case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 22.09.2021 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.

10.02.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**