

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

CRM-M-43039-2021

Date of decision-11.03.2022

Satpal Singh @ Bali

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S.Sekhon, Advocate for the petitioner.
Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.227 dated 08.09.2021 under Sections 22 and 29 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Lehra, District Sangrur, who apprehends his arrest at the hands of Police.

Learned counsel for the petitioner has argued that the alleged contraband i.e. 750 tablets were recovered from his co-accused, namely, Harpreet Singh and Hakam Singh and subsequently on their disclosure statement, the petitioner was arraigned as an accused. He submits that the case set up by the prosecution is on the weak footing as compared to co-accused, therefore, the custodial interrogation of the petitioner may not be necessary as the petitioner is willing to join the investigation. He prays for anticipatory bail.

Learned State counsel who is instructed by ASI Gamdoor Singh while referring to the reply dated 22.11.2021 filed by way of an affidavit of

Manoj Gors, PPS, Deputy Superintendent of Police, Sub Division, Lehra, District Sangrur, has opposed the prayer and pointed out that the petitioner is involved in three more cases of similar nature and the details are given in paragraph 5, however, it is not disputed that the recovery of contraband was effected from the co-accused, who were arrested on the spot.

At this stage, learned counsel for the petitioner has stated that in the other cases, the petitioner was implicated in similar manner and the concession of pre arrest bail has already been extended to him.

Considering the above background and the nature of case set up by the prosecution qua the petitioner, this Court finds that custodial interrogation of the petitioner may not be necessary. Resultantly, without meaning any expression or opinion on the merits of the case, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

11.03.2022
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No