

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

CRM-M-44843-2021 (O&M)
Date of Decision:- 7.3.2022

Chatter Bedi Sharma

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Arjun Veer Sharma, Advocate, for the petitioner.

Mr. Anmol S. Sandhu, AAG, Punjab.

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. 143, dated 25.9.2021, Police Station Sadar Jagraon, District Ludhiana, under Sections 15, 25, 29 of NDPS Act.
2. At the time of issuance of notice of motion the following order was passed on 27.10.2021:

“Learned counsel for the petitioner submits that it is a case where secret information is stated to have been received by the police to the effect that one Gurpreet Singh indulges in sale of ‘Poppy Husk’ after procuring it from other States and

that even on the given day he was bringing the contraband in his vehicle i.e. Ashok Leyland truck bearing registration No. PB-11CM-7312. Pursuant to receipt of said information the police laid barricades and the aforesaid truck in question was intercepted which was being driven by Gurpreet Singh. Upon search of the truck, 4 bags of 'Poppy Husk' were recovered which were lying behind the driver's seat. Upon interrogation Gurpreet Singh disclosed that he had procured the said 'Poppy Husk' from a person who has links with Chatter Bedi Sharma and had brought 8 bags of 'Poppy Husk' out of which 4 bags were taken away by Chatter Bedi Sharma in his Swift Dzire car bearing registration No. PB-03-BE-1730, while he was directed to hand over the remaining 4 bags to a person who was supposed to contact him outside village Rasulpur.

Learned counsel for the petitioner submits that he is nowhere named in the FIR and is sought to be nominated as an accused on the basis of a disclosure statement allegedly made by Gurpreet Singh from whom contraband is stated to have been recovered. It has been submitted that the petitioner has a clean record and that in these circumstances, no credence can be attached to the disclosure statement of the co-accused.

Notice of motion for 7.3.2022.

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.

Status report be filed on or before the next date of hearing.”

3. Learned State counsel has informed that pursuant to aforesaid directions, the petitioner has joined investigation and he is not required for custodial interrogation. It has also been informed that the petitioner is wanted in three other cases including one case registered under NDPS Act.
4. Having regard to the aforestated position wherein the petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and interim directions issued by this Court vide order dated 27.10.2021 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.

7.3.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No