

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

CRM-M-48403-2021 (O&M)
Date of Decision:- 5.4.2022

Talwinder Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Sabherwal, Advocate, for the petitioner.

Mr. Anmol S. Sandhu, AAG, Punjab,
assisted by SI Avtar 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. 140 dated 14.10.2021 at Police Station Bassi Pathana, District Fatehgarh Sahib under Sections 21, 22, 21-B, 22-C, 61 and 85 of Narcotic Drugs & Psychotropic Substances Act, wherein offence under Section 29 of NDPS Act was added later on.
2. At the time of issuance of notice of motion the following order was passed on 18.11.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.140 dated 14.10.2021 at Police Station Bassi Pathana, District Fatehgarh Sahib under Sections 21, 22, 21-B, 22-C, 61 and 85 of Narcotic Drugs & Psychotropic Substances

Act, wherein offence under Section 29 of NDPS Act was added later on.

As per the case of prosecution, one Harinder Singh was apprehended by the police, who was found in possession of 25 grams of 'heroin' and 1225 intoxicant tablets. It is the case of prosecution that during the course of interrogation said Harinder Singh disclosed that the said contraband had been procured by him from the petitioner.

Learned counsel for the petitioner submits that the petitioner is neither named in the FIR nor was ever found near the place of recovery and has been nominated on the basis of disclosure statement, the veracity and admissibility of which would be debatable.

Notice of motion for 5.4.2022.

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 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 not wanted in any other case.
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 18.11.2021 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.

5.4.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No