

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

(I)	CRM-M-56486-2022 (O&M) Date of Decision:- 21.12.2022	
Anita @ Anita Rani	...	Petitioner
	Versus	
State of Punjab	...	Respondent
(II)	CRM-M-56489-2022 (O&M)	
Jagtar Singh and others	...	Petitioners
	Versus	
State of Punjab	...	Respondent
(III)	CRM-M-56491-2022 (O&M)	
Kulwant Kaur	...	Petitioner
	Versus	
State of Punjab	...	Respondent
(IV)	CRM-M-56499-2022 (O&M)	
Akash	...	Petitioner
	Versus	
State of Punjab	...	Respondent
(V)	CRM-M-56516-2022 (O&M)	
Manjit Kaur and others	...	Petitioners
	Versus	
State of Punjab	...	Respondent

(VI)	CRM-M-56522-2022 (O&M)
Jaswant Kaur and others	... Petitioners
	Versus
State of Punjab	... Respondent
(VII)	CRM-M-56754-2022 (O&M)
Shindo @ Chhindo	... Petitioner
	Versus
State of Punjab	... Respondent
(VIII)	CRM-M-56793-2022 (O&M)
Binder Kaur and another	... Petitioners
	Versus
State of Punjab	... Respondent
(IX)	CRM-M-56881-2022 (O&M)
Hussan Lal and another	... Petitioners
	Versus
State of Punjab	... Respondent
(X)	CRM-M-57106-2022 (O&M)
Inderjit Kaur and others	... Petitioners
	Versus
State of Punjab	... Respondent

(XI)	CRM-M-57117-2022 (O&M)
Rani and another	... Petitioners
Versus	
State of Punjab	... Respondent
(XII)	CRM-M-57404-2022 (O&M)
Sarabjit Kaur @ Preety and others	... Petitioners
Versus	
State of Punjab	... Respondent
(XIII)	CRM-M-57406-2022 (O&M)
Ranjit Singh and others	... Petitioners
Versus	
State of Punjab	... Respondent
(XIV)	CRM-M-57466-2022 (O&M)
Kuldeep Kaur and others	... Petitioners
Versus	
State of Punjab	... Respondent
(XV)	CRM-M-57588-2022 (O&M)
Deepak and others	... Petitioners
Versus	
State of Punjab	... Respondent
(XVI)	CRM-M-57679-2022 (O&M)
Surinder Singh and another	... Petitioners
Versus	
State of Punjab	... Respondent

(XVII) CRM-M-57693-2022 (O&M)

Ranbir Singh ... Petitioner

Versus

State of Punjab ... Respondent

(XVIII) CRM-M-59019-2022 (O&M)

Jaswinder Kaur and others ... Petitioners

Versus

State of Punjab ... Respondent

(XIX) CRM-M-59550-2022 (O&M)

Nirmal Ram @ Nirmal ... Petitioner

Versus

State of Punjab ... Respondent

(XX) CRM-M-59667-2022 (O&M)

Asha Rani and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajeev K. Kapila, Advocate with
Mr. Raman Kumar, Advocate, for the petitioner(s)
in CRM-M Nos.56486, 56489, 56491, 57106, 57117,
57404, 57406, 57693, 59550, 59667 of 2022.

Mr. Akshay Rana, Advocate, for the petitioner
in CRM-M-56499-2022.

Mr. Umesh Sharma, Advocate, for the petitioners
in CRM-M-56516-2022.

Mr. Ajay Pal Singh Rehan, Advocate, for the petitioners
in CRM-M-56522-2022.

Mr. Piyush Khanna, Advocate, for the petitioners
in CRM-M Nos.59019, 57466, 57588, 57679 of 2022.

Mr. Suram Singh Rana, Advocate, for the petitioner
in CRM-M-56754-2022.

Ms. Taranjit Kaur Hundal, Advocate, for the petitioner
in CRM-M-56793-2022.

Mr. Avtar Singh Bhatti, Advocate, for the petitioners
in CRM-M-56881-2022.

Mr. Luvinder Sofat, DAG, Punjab and
Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Boota Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned 20 petitions wherein petitioners seek grant of anticipatory bail in a case registered vide FIR No.0209, dated 15.11.2022, Police Station Garhshankar, District Hoshiarpur, under Sections 15, 18, 21, 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Short reply by way of affidavit of Mr. Daljit Singh, Deputy Superintendent of Police, Sub-Division, Garhshankar, District Hoshiarpur has been filed in CRM-M Nos.56491, 57406, 56489, 57106, 56499, 56489, 57406, 56491 of 2022. The same are taken on record.
3. At the time of issuance of interim directions in CRM-M-56486-2022 the following order was passed on 05.12.2022:

“The petitioner(s) seek grant of anticipatory bail in respect of
a case registered vide FIR No.0209, dated 15.11.2022, Police

Station Garhshankar, District Hoshiarpur, under Sections 15, 18, 21, 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

The FIR was lodged by the police pursuant to receipt of secret information to the effect that the petitioners as well as another 98 persons, who are all named (total 120 persons) in the FIR, indulged in drug trafficking and were selling heroin, poppy husk, smack, intoxicant tablets etc. since long in the surrounding area, which adversely affected the society. Learned counsel for the petitioner(s) submitted that a false FIR has been lodged by the police on the basis of alleged secret information, wherein as many as 120 persons have been named, solely on the basis of secret information in order to harass the petitioners and others. It has further been submitted that no recovery whatsoever was ever effected from the petitioners or were found involved in any offence.

Notice of motion for 21.12.2022.

Meanwhile, the petitioner(s) be not arrested.

A copy of this order be placed on the file of each connected case.”

4. Even in all the other connected cases, this Court while issuing notice of motion, had issued interim directions in the same terms.
5. Upon a query made by this Court, learned State counsel could not furnish any evidence as regards the current involvement of the petitioners, though, it is stated that the petitioners had been previously involved in some cases.
6. This Court finds that very wide sweeping general allegations have been levelled against 120 persons. In case the petitioners are

involved in some other cases, the FIRs have been lodged and they in any case would be prosecuted in said cases. Filing such a wide sweeping FIR on the basis of the previous cases would rather amount to a case of *double jeopardy*. All petitions, as such, are accepted and the petitioners, in the event of arrest, be released on bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

- 7. It is, however, made clear that none of the observations made above shall be construed to be an expression on merits of the main case.
- 8. A photocopy of this order be placed on the file of each connected case.

21.12.2022
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(GURVINDER SINGH GILL)
JUDGE

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