

206

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

CRM-M-2925-2023
Decided on : 11.04.2023

Jaswinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mikhail Kad, Advocate
for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No.143 dated 12.12.2022 registered under Sections 21/29 of NDPS Act at Police Station Sadar Sangrur, District Sangrur.

Vide order dated 19.01.2023, petitioner was granted the concession of anticipatory bail in the following terms:-

“Learned counsel for the petitioner inter alia contends that it was a case of chance recovery of 60 grams heroin, which was effected from co-accused Mintu Singh, who thereafter in his disclosure statement named the petitioner and stated that he had procured the said contraband from the petitioner. Learned counsel submits that it is a case of false implication, which finds credence from the fact that the petitioner is not a man of criminal antecedents and no case

much less under the NDPS Act stands registered against him.”

Learned counsel for the petitioner states that pursuant to order dated 19.01.2023, passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions states that the petitioner is no longer required for further interrogation.

On a pointed query put to learned State counsel as to whether the petitioner is involved in any other criminal case much less of similar nature, he replied in the negative.

In view of the above, the petition is allowed and interim order dated 19.01.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. In case, the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

11.04.2023
sonia

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No