

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.9329 of 2023
Date of decision: 8th May, 2023

Amandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parunjeet Singh, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.067 dated 05.05.2022 under Sections 22 and 29 (added later on) of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Jagraon, District Ludhiana (Punjab).

Vide order dated 22.02.2023, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner inter alia contends that pursuant to a secret information received, co-accused were apprehended along with the alleged contraband i.e. 150 intoxicant tablets of Alprazolam IP 0.5 mg. Prozolam and 60 tablets of Rivodol Tramadol HD which falls under non-commercial quantity. While drawing the attention of this Court to the FIR which has been annexed as Annexure P-1, learned counsel submits that the petitioner was not named therein but was nominated as an

accused on the basis of a disclosure statement suffered by the co-accused who stated that the contraband had been purchased from the petitioner. Learned counsel submits that the false implication of the petitioner in the case in hand is evident from the fact that the petitioner does not have a criminal past and is not involved in any other case under the NDPS Act. It has also been submitted that both the co-accused who were apprehended at the spot with the alleged contraband have since been enlarged on regular bail.”

Learned counsel for the petitioner submits that in compliance of the order dated 22.02.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In the circumstances, the petition is allowed and the interim order dated 22.02.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

May 8, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No