

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.14614 of 2023
Date of decision: 10th May, 2023

Prempal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None 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. 221 dated 10.10.2022 under Sections 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') (Section 29 of the NDPS Act added later on) registered at Police Station City Moga, District Moga.

Vide order dated 22.03.2023, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner submits that co-accused Satpal Singh was apprehended along with 120 grams of heroin (noncommercial quantity) in a case of chance recovery. Learned counsel submits that the petitioner came to be nominated as an accused subsequently on the basis of an alleged disclosure

statement made by said Satpal Singh wherein he stated that the recovered contraband had been purchased by him from the petitioner. Learned counsel submits that the petitioner has clean antecedents and is not involved in any other criminal case much less under the NDPS Act. It has thus been submitted that it is apparent that the petitioner has been falsely implicated in the case in hand. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

Learned State counsel, on instructions, submits that in compliance of the order dated 22.03.2023, the petitioner has 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 22.03.2023 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 10, 2023
rps

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