

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

201

CRM-M-24934-2023

Date of decision: 11.09.2023

Satyjeet Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Davinder Bir Singh, Advocate  
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.97 dated 06.04.2023 under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), registered at Police Station Special Task Force, District STF Wing.

2. Status report by way of affidavit of Ajay Kumar, PPS, Deputy Superintendent of Police, STF Unit, Ludhiana, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. On 17.05.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

*“It has been contended by counsel for the petitioner that petitioner has been falsely implicated in this case. He submits that case of the prosecution is based on the secret*

*information in which it was allegedly informed that Sandeep Singh runs the business of supplying contraband whereas petitioner supplies the same to him. It is submitted that thereafter the Investigating Agency recovered the alleged contraband, i.e. 1780 tablets, from co-accused Sandeep Singh. He submits that on the basis of disclosure statement of co-accused Sandeep Singh, the petitioner has been implicated in this case. He further submits that even the FSL report is not yet received to confirm the nature of contraband recovered. He has submitted that though petitioner is convicted in one another case but his sentence has been suspended and during this period a false case has been foisted upon him.”*

3. Learned counsel for the petitioner submits that in compliance of order dated 17.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. 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.

5. In view of the above, the petition is allowed and interim order dated 17.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

11.09.2023

Vinay

(MANJARI NEHRU KAUL)

JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |