

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

Sr. No. 204 (1)

CRM-M No. 32021 of 2022

Date of decision : 11.04.2023

Arjanpal Singh @ Monu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. R. S. Sidhu, Advocate for the petitioner.
Mr. A.P.S. Tung, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 45 dated 18.05.2022 registered under Sections 21(B) and 29 of the NDPS Act at Police Station Sarai Amanat Khan, District Tarn Taran.

On 26.07.2022, this Court had passed the following order : -

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.45, dated 18.5.2022, Police Station Sarai Amanat Khan, District Tarn Taran, under Sections 21(B), 29 of NDPS Act.

The FIR was lodged on the allegation that on 18.5.2022, when the police party was patrolling, then co-accused Shubpreet Singh was apprehended on the basis of suspicion and upon whose search recovery of 50 grams of ‘Heroin’ was effected. It is further the case of prosecution that during the course of interrogation he disclosed that

he had procured the said contraband from Gurjant Singh.

Learned counsel for the petitioner has submitted that it is a case of recovery of non-commercial quantity of contraband and that the petitioner has been nominated as an accused on the basis of disclosure statement which would hardly carry any evidentiary value.

Notice of motion for 31.1.2023.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner 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.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order, the fact that the petitioner has no other criminal antecedents and the statement made on behalf of the State, subject to the petitioner abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 26.07.2022 granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

11.04.2023
sunil yadav

(DEEPAK SIBAL)
JUDGE

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