

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

CRM-M-31403-2023

Date of Decision: 17.07.2023

Ramandeep Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. A.S.Barnala, Advocate
 for the petitioner.

Mr. M.S.Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 438 of the Cr.P.C. with a prayer to grant a anticipatory bail to him in case FIR No.160 dated 09.11.2022 registered under Section 22 of NDPS Act (Section 29 of NDPS Act was added later on) at Police Station Sadar, Batala, District Batala.

Learned counsel for the petitioner contends that the petitioner was not named in the present case. As per the case of the prosecution, on 09.11.2022, in the area of petrol pump village Bulowal, 198 intoxicant tablets without label were recovered from the accused Paras. During the course of investigation, Paras suffered a disclosure statement and he stated that he had taken the said tablets from the present petitioner and the petitioner was nominated in the present case under Section 29 of the NDPS Act. Learned counsel for the petitioner further contends that except the disclosure statement made by co-accused Paras, there is no other evidence against him. Even no

recovery is to be effected from the petitioner and there is no other criminal case against him.

On the other hand, learned State counsel has vehemently opposed the prayer made by the present petitioner for grant of concession of pre-arrest bail on the ground that there are serious allegations against the present petitioner and his involvement has been established during the course of investigation. He however admits that there is no other criminal case against the present petitioner and has not be able to controvert the factual submissions made by learned counsel for the petitioner. He further contends that 198 tablets of Tramadol Hydrochloride were recovered from the present petitioner and the total weigh of the contraband was 92 grams, which is non-commercial in nature.

I have heard learned counsel for the parties and perused the record.

Without commenting on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C.

It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

(N.S.SHEKHAWAT)
JUDGE

17.07.2023
hemlata

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