

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.50319 of 2021
Date of decision: 12th April, 2023

Angrej Khan
... 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 instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.194 dated 26.09.2021 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Dhuri, District Sangrur.

Vide order dated 02.12.2021, the petitioner had been granted concession of interim bail in the following terms:-

“As per the case of prosecution, on 26.9.2021 when a police party was present at Bus Stand Palasaur, a secret information was received to the effect that Ajaib Singh indulges in sale of intoxicant tablets and that even on the given day he was present on the road leading from Palasaur to Bhojowali. Pursuant to receipt of said information, a raid was conducted and said Ajaib Singh was apprehended by the police and from whose possession 500 tablets of Tramwel SR-100 (Tramadol) were recovered.

It is further the case of prosecution that during interrogation the petitioner suffered a disclosure statement to the effect that the petitioner had helped the said Ajaib Singh in procuring the aforesaid tablets.

Learned counsel for the petitioner submits that the petitioner is nowhere named in the FIR and was nowhere present near the place of recovery and has been nominated on the basis of a disclosure statement, which would not carry any evidentiary value unless corroborated by some other convincing evidence.”

Learned State counsel, on instructions, has apprised the Court that in compliance of the order dated 02.12.2021, 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 02.12.2021 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

April 12, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No