

201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47040-2022

DATE OF DECISION:-10.04.2023

Boota Singh

...Petitioner.

Vs.

State of Punjab

...Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ramandeep Singh Brar, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

HARKESH MANUJA, J.

Prayer in the present petition is for grant of anticipatory bail to the petitioner, in case FIR No.108 dated 19.08.2022, under Sections 21(b), 61, 85 of NDPS Act, 1985 (Section 29 of NDPS Act added later on), registered at Police Station Sadar, Kotakapura, District Faridkot.

On 14.10.2022, this Court passed the following order:-

“CRM-38546-2022

In view of the reasons mentioned in the application, the same is allowed as prayed for.

CRM-M-47040-2022 (Main Case)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.108, dated 19.8.2022, Police Station Sadar, Kotakapura, District Faridkot, under Sections 21(b), 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein offence under Section 29 of NDPS Act was added later on.

As per the case of prosecution, co-accused Pawandeep Singh @ Pawan was apprehended by the police, who was found in possession of 6 grams and 20 milligrams of ‘heroin’. It is further the case of prosecution that during the course of interrogation, he suffered a disclosure statement to the effect that the said ‘heroin’ had been supplied to him by the petitioner Boota Singh.

Learned counsel for the petitioner submitted

that the petitioner has a clean record and has been nominated on the basis of a disclosure statement, which would hardly carry any evidentiary value.

Notice of motion for 10.4.2023.

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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from ASI Swaran Singh, submits that in compliance of aforesaid order dated 14.10.2022, petitioner has joined the investigation and is no more required for further interrogation.

Having considered the aforesaid facts and circumstances of the case, the petition is allowed. Order dated 14.10.2022 passed by this Court is hereby made absolute.

10.04.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No