

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-45406-2023

Date of Decision:22.11.2023

Amandeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ashok Giri, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

On 13.09.2023, following order was passed:

“Prayer in the present petition has been made for grant of pre-arrest bail to the petitioner in case FIR No.170 dated 12.08.2023 registered under Section 15-C (Section 29 added later on) of NDPS Act, at Police Station Sultanpur Lodhi, District Kapurthala.

Allegations are that 100 kg of poppy husk was recovered from the possession of co-accused Manga, Nishan and Joga, who in their disclosure statement, nominated the petitioner to be the supplier.

Learned counsel for the petitioner contends that petitioner has been nominated only on the basis of disclosure statement of co-accused, which is inadmissible in evidence and that petitioner has no criminal background and has been falsely implicated.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent- State.

Adjourned to 22.11.2023 for filing status report disclosing the link between the petitioner and the co-accused.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the

petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Status report by way of an affidavit of Shri Babandeep Singh, PPS, Deputy Superintendent of Police, Sub Division Sultanpur Lodhi, Kapurthala has been filed on behalf of respondent- State.

Statement is made by learned State counsel that petitioner has joined the investigation but he is not co-operating in the same.

But learned State counsel is unable to convince this Court as to in what manner further custodial interrogation of the petitioner is required.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 13.09.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(DEEPAK GUPTA)
JUDGE

November 22, 2023
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No