



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

CRM-M No.14249 of 2024
Date of decision: 9th July, 2024

Bhagat Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Nandini Sharma, Advocate for
Mr. Chetan Bansal, Advocate for the petitioner.
Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.183 dated 27.09.2023 under Sections 21-B/29 of the NDPS Act, registered at Police Station Gharinda, Amritsar.

2. On the last date of hearing, i.e. 19.03.2024, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner, inter alia, contends that in a case of chance recovery, neither was the petitioner present along with the co-accused nor was he apprehended with any contraband much less heroin, which was allegedly recovered from co-accused Ajay Singh alias Ghacha. Learned counsel submits that the name of the petitioner surfaced during a disclosure



statement allegedly suffered by co-accused Ajay Singh alias Ghacha, who stated that he had purchased the recovered contraband from the petitioner. Learned counsel submits that the evidentiary value of such a disclosure statement is of a very weak nature. It has also been submitted that the petitioner has clean antecedents as he is not involved in any other criminal case much less under the NDPS Act.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 19.03.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Rashpal Singh, does not dispute the factum of the petitioner having 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.

5. In the circumstances, the petition is allowed and the interim order dated 19.03.2024 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

July 9, 2024
rps

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