

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-14344-2024

Date of Decision:02.05.2024

LOVEPREET SINGH ALIAS PAVITTAR SINGH GILL

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sukhmeet Singh, Advocate
for the petitioner.

Mr. G.P.S. Bhullar, AAG, Punjab
assisted by ASI Chamkaur Singh.

DEEPAK GUPTA, J.(ORAL)

On 20.03.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.26 dated 23.02.2024 under Section 15(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, ‘the NDPS Act’) (later-on added offence under Section 29 of the NDPS Act), at Police Station Sadar Faridkot, District Faridkot.

As per allegations, co-accused Sukhjinder Singh was apprehended by the Police Party on 23.02.2024 and recovery of 50 kg of Poppy Husk was effected from him. During interrogation, said Sukhjinder Singh disclosed that he had contacted the petitioner and co-accused – Mandeep Singh, who offered him ₹30,000/- per turn for bringing Poppy Husk and Opium from Assam to Punjab. It is the co-accused – Mandeep Singh, who used to arrange the seller. It is further alleged that later on co-accused Mandeep Singh got transported 4 Kg of Opium and 50 Kg of Poppy Husk from Sukhjinder Singh by making direct payment by him to the sellers. On 21.02.2024, he had brought that consignment from Assam to Punjab. The Opium of 4 Kg had already been taken away by Mandeep Singh whereas he (Sukhjinder Singh) was apprehended with 50 Kg of Poppy Husk.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated simply on the basis of disclosure statement of

co-accused; that the petitioner has never indulged in any such activity, pertaining to the NDPS Act and that he is ready to join the investigation.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab, accepts the notice on behalf of the respondent- State.

On instructions from ASI Chamkaur Singh, learned State Counsel confirms that except for the disclosure statement of the co-accused, there is no other material against the petitioner. It is also conceded by learned State Counsel that the petitioner has no other criminal case pending against him.

Adjourned to 02.05.2024.

Let detailed status report be filed on or before the date fixed.

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. ”

Today learned State counsel, on instructions from ASI Chamkaur Singh submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 20.03.2024 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.

Disposed of.

02.05.2024

pry

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No