



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-15780-2024 (O&M)
Date of Decision:- 13.09.2024

Lovepreet Singh alias Love alias Labhu Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dinesh Trehan, Advocate, for the petitioner
(appeared through video conferencing).

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
33	03.03.2024	Sidhwan Bet, District Ludhiana Rural	21/22/25 of NDPS Act (Sections 29/61/85 NDPS Act added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.



2. At the time of issuance of interim bail the following order was passed on 01.04.2024:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 33 dated 03.03.2024, Police Station Sidhwan Bet, District Ludhiana Rural, under Sections 21/22/25 of the NDPS Act (Sections 29/61/85 of NDPS Act added later on).

As per the case of prosecution, on 03.03.2024 when a police party headed by ASI Sukhwinder Singh was patrolling in the area of Bus Stand, Tihara, then a secret informer furnished information that one Gagandeep Singh, who indulges in sale of Heroin and intoxicant tablets, was on his way to Bus Stand, Patti Multani on his motorcycle. Pursuant to receipt of said information barricades were laid and the police was able to apprehend the aforesaid Gagandeep, who was found to be carrying 900 intoxicant tablets and 4 grams of ‘Heroin’. It is further the case of prosecution that during the course of interrogation, he disclosed that he has purchased the aforesaid contraband from the petitioner.

Learned counsel submits that he was never ever found at the spot and nor any recovery was ever effected from him and came to be nominated as an accused solely on the basis of statement of co-accused Gagandeep Singh and that such like disclosure statement would not carry any evidentiary value.

Notice of motion for 10.09.2024.

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



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

3. Learned State counsel has submitted that the petitioner has joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position wherein the petitioner has joined investigation and he is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 01.04.2024 are hereby made absolute subject to the condition that the petitioner shall join 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.

13.09.2024
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No