



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

CRM-M-35134-2024 (O&M)
Date of Decision:-4.11.2024

Sukhraj Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jasinder S. Sekhon, Advocate for the petitioner.
Mr. Japjot Singh, AAG, Punjab.

FIR No.	Dated	Police Station	Under Section/s
106	22.6.2024	Bulalowal, District Hoshiarpur	22 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein offence under Section 29 of NDPS Act was added later on

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of the aforementioned FIR.
2. At the time of issuance of notice of motion, the following order was passed on 25.7.2024:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 106, dated 22.6.2024, Police Station Bulalowal, District Hoshiarpur, under Section 22 of NDPS Act (Section 29 of NDPS Act added later on).

The FIR was lodged upon receipt of secret information to the effect that one Harish who was running a sweet shop indulged in sale of intoxicant tablets. Pursuant to receipt of said information, a



raid was conducted and aforesaid Harish Kumar was apprehended and one envelope containing 7 strips, each containing 10 tablets of 'Tramadol Hydrochloride' were recovered. It is further the case of prosecution that during interrogation Harish Kumar disclosed that he had purchased the aforesaid tablets from one Surinder Pal @ Billa. Pursuant to the aforesaid disclosure statement Surinder Pal was arrested on 26.6.2024 and upon interrogation he disclosed that he used to purchase the said tablets from one Pawan Gupta. Aforesaid Pawan Gupta was also arrested on 26.6.2024 who further disclosed that he had purchased the said tablets from Sukhraj Singh (petitioner).

Learned counsel submits that he has falsely been implicated in the present case on the basis of the alleged disclosure statement which would hardly carry any evidentiary value. It has further been submitted that even the accused who is alleged to have disclosed name of the petitioner himself came to be nominated on the basis of disclosure statement made by another accused. It has been submitted that no recovery whatsoever was ever effected from the petitioner.

Notice of motion for 04.11.2024.

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, upon instructions from the Investigating Officer, has informed that pursuant to interim directions issued by this Court on 25.7.2024, the petitioner has since joined investigation and he is not required for any custodial interrogation.



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4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 25.7.2024 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.

4.11.2024

Geeta/P

(Gurvinder Singh Gill)
Judge

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