



qua the petitioner nor is it the case of the prosecution that the petitioner was present along with the co-accused Amarjit Singh when the alleged recovery was affected. It has also been argued by the learned counsel that the petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Amarjit Singh, who stated that the recovered contraband had been supplied by the petitioner. It has been asserted by learned counsel for the petitioner that the disclosure statement, on the basis of which he has been arraigned as an accused in the present case, has very weak evidentiary value and all this needs to be appreciated in the wake of petitioner not being involved in any other case under the NDPS Act.”

3. Learned counsel for the State submits that in compliance of order dated 20.08.2024, petitioner has joined the investigation and cooperated with the investigating officer. He, on further instructions, submitted that the petitioner is not required for custodial interrogation.
4. In view of the above, present petition is allowed and interim order dated 20.08.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC/482(2) of BNSS.

03.12.2024
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(MANJARI NEHRU KAUL)
JUDGE

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