



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.45584 of 2023
Date of decision: 10th May, 2024

Yash Jain
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Himmat S. Deol, 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.12 dated 13.02.2023 under Sections 22(C)/61/85 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Bassi Pathana, District Fatehgarh Sahib.
2. On 13.09.2023, 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 senior counsel for the petitioner submits that the petitioner was nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Lucky @ Lakhwinder Singh from whom a recovery of 550 tablets of Lomotil was allegedly effected. He submits that such disclosure statement does not have much evidentiary value and it rather lends credence to his false implication as he has clean antecedents and is not involved



*in any other criminal case much less under the NDPS Act.
He further submits that the petitioner is ready to join
investigation and cooperate with the investigating agency.”*

3. Learned counsel for the petitioner submits that in compliance of the order dated 13.09.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Rupinder Singh, has not disputed the submissions made by the counsel opposite that though the petitioner was initially facing trial for offence under Section 323 IPC, however, he stands acquitted in the said case; besides the present case, he is not involved in any other criminal case much less under the NDPS Act. On further instructions, he has also not disputed 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 13.09.2023 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

May 10, 2024
rps

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