



CRM-M-44033-2024

219 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-44033-2024
Decided on : 05.12.2024

Amanbir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gurpreet Singh Gurna, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in case FIR No.72 dated 17.07.2024 under Sections 105, 3(5) of BNS and Section 21(c) of NDPS Act added later on registered at Police Station Sadar Patti District Tarn Taran.

2. On the last date of hearing i.e. on 06.09.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:

“Learned counsel for the petitioner has, at the outset, drawn the attention of this Court to the allegations levelled in the FIR in question. It has been asserted that a perusal of the FIR clearly reveals that the petitioner was neither named therein by the complainant nor was he present anywhere in the vicinity of the occurrence in question. Allegedly, a disclosure statement was suffered by one of the co accused Mandeep Singh @ Mani, who



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along with co accused Bikar Singh was arrested with 270 grams of heroin; as per the disclosure statement, accused Mandeep Singh claimed that the recovered contraband which had been used to inject the deceased had been procured through one Aman Singh son of Sarabjit Singh. Learned counsel has submitted that the petitioner has been falsely implicated in the instant case as the petitioner is Amanbir Singh son of Akhtyar Singh and not Aman Singh who had been named in the disclosure statement. Learned counsel submits that it is a matter of record that the petitioner has no criminal antecedents much less ever being involved in any case under the NDPS Act. It has also been submitted that the disclosure statement on the basis of which the petitioner has been arraigned as an accused does not have much evidentiary value.”

3. Learned counsel for the petitioner submits that in compliance of order dated 06.09.2024, petitioner has joined the investigation and cooperated with the investigating officer.
4. Learned State counsel, on instructions, has not disputed the submission made by learned counsel for the petitioner. Learned State counsel has further submitted that the petitioner is not required for custodial interrogation.
5. In view of the above, present petition is allowed and interim order dated 06.09.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC/482(2) of BNS.

05.12.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No