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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47488-2024

Date of Decision:- 08.11.2024

Gurnam Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sukhcharan Singh Gill, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

Petitioner – Gurnam Singh has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No. 79 dated 04.07.2024, under Sections 22/29/61/85 of NDPS Act, registered at Police Station Sadar Sangrur (Annexure P-1).

2. As per the facts of case, on 04.07.2024, SI Harchetan Singh and police party was going in connection with routine patrol and checking duty and when police party was 200 meters behind the bridge of Village Jalan, at about 04:05 PM, they spotted one boy with shaved head walking towards them on paved road. He was carrying black coloured plastic



packet. On seeing police party, he got confused and threw the packet on roadside and started going back. He was apprehended on the basis of suspicion, who disclosed his name as Jagsir Singh alias Jaggi. On checking of said plastic bag thrown by said person, 30 strips of intoxicant tablets “Trekem 100”, each strip containing 10 tablets, total 300 tablets were recovered. Second packet contained 170 loose white intoxicant tablets. On the basis of this recovery, present FIR has been registered. During investigation, name of present petitioner cropped up in disclosure statement of main accused.

3. Learned counsel for petitioner pointed out that he was not present on the spot nor any recovery was effected from him. He was named by co-accused. He is ready to join the investigation. Therefore, his anticipatory bail petition may be allowed.

4. Status report is filed, which is taken on record, subject to all just exceptions. It is conceded that on the arrest of accused Jagsir Singh alias Jaggi, aforesaid contraband was recovered and during interrogation he named present petitioner alleging that he used to purchase said intoxicant tablets from Gurnam Singh, present petitioner. Learned counsel representing State pointed out that as per call detail record, both Jagsir Singh alias Jaggi and Gurnam Singh were in communication with each other. It is further alleged that present petitioner is involved in four other FIRs. After completion of investigation, challan will be presented in Court.



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5. I have considered the arguments and have gone through the record. No recovery was effected from present petitioner nor he was on the spot. There is nothing in status report to show that Investigating Agency conducted any search operation to effect recovery of more intoxicants. FIRs detailed in para No. 6 of status report are of different period. One FIR is of the year 2013, another FIR is of the year 2015 and two other FIRs are of the year 2023. In the case in hand, no recovery is effected. He is ready to join the investigation. Therefore, anticipatory bail petition filed by petitioner – Gurnam Singh is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

08.11.2024
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(AMARJOT BHATTI)
JUDGE

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