

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

**CRM-M No.57125 of 2023**  
Date of decision: 15<sup>th</sup> February, 2024

Lakhwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. G.S. Sandhu, Advocate for  
Mr. H.S. Sidhu, Advocate for the petitioner.

Mr. Amandeep S. Samra, Asst. 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. 58 dated 04.10.2023 under Sections 21 and 29 of NDPS Act, 1985 registered at Police Station Fatehgarh Panjtoor, District Moga.

2. On the last date of hearing, i.e. 14.11.2023, 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 counsel for the petitioner submits that secret information was received qua co-accused Jaskaran Singh @ Karan, who then was apprehended along with 10 grams of heroin (non commercial). It was subsequently, a disclosure statement was allegedly suffered by co-accused Jaskaran Singh @ Karan, who stated that the recovered contraband had been purchased from the petitioner. Learned counsel submits that the evidenciary value of such*

*disclosure statement is of a weak nature and all this needs to be appreciated in the light of the petitioner having clean antecedents and not being involved in any case much less under the NDPS Act.”*

3. Learned counsel for the petitioner submits that in compliance of the order dated 14.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute 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. On a pointed query put to the learned State counsel, he on instructions, has not disputed that the petitioner has clean antecedents as he is not involved in any other criminal case much less under the NDPS Act.

6. In the circumstances, the petition is allowed and the interim order dated 14.11.2023 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

February 15, 2024  
rps

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |