

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:146590



CRM-M No. 55874 of 2024 (O&M)

Date of Decision: 11.11.2024

Sandeep Singh alias Gaggi alias Sandeep Sahil

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. Shilpa, Advocate and
Mr. Abhinav Jain, Advocate, for the petitioner.

Mr. Gagneshwar Walia, Addl. Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioner apprehends his arrest in FIR No. 68 dated 09.10.2024 for the offence punishable under Sections 22-A, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on) registered at Police Station Sadiq, District Faridkot, Punjab.

2. The petitioner, who has no criminal antecedents, is alleged with recovery of 0.48 gram of Heroine based on the disclosure statement of co-accused Gagandeep Singh who is the main accused from whom the said drug was recovered.

3. Considering the aforesaid, the possibility of false implication cannot be ruled out and since the offence under the NDPS Act alleged against the petitioner do not fall within the parameters of Section 37 of the NDPS Act

and more so the main accused has been granted regular bail as informed by learned State counsel, this Court extends the benefit of interim anticipatory bail to the petitioner subject to his furnishing personal bonds for a sum of Rs.50,000/- with two sureties of the like amount each to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. In case the petitioner does not join the investigation, the State is free to move an application for cancellation of his bail.

4. This order shall also remain subject to the following condition:-
- i) The petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the concerned Police Station where the FIR has been registered within a period of 15 days and if there is no such intimation submitted or intimation is found to be incorrect, then the State can move an application for cancellation of his bail.
5. The petition stands allowed.

(SHEEL NAGU)
CHIEF JUSTICE

11.11.2024

ravinder

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