



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

218**CRM-M-52660 of 2024****Date of decision: 27.01.2025**

Pawan Kumar Sharma

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ankur Bansal, Advocate, for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in case FIR No.96 dated 10.08.2024 under Sections 22, 29 of the NDPS Act, 1985, registered at Police Station Bhogpur, District Jalandhar (Rural).

2. On 22.10.2024, 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, inter alia, contends that the petitioner has been falsely implicated in the present case as a day prior to the recovery of the alleged contraband i.e. 150 loose tablets of intoxicants from co-accused, there had been some altercation between the petitioner and police officials at the shop where he is employed. In support, learned counsel has drawn the attention of this Court to some pictures, which have been annexed as Annexure P-3. It has been further



submitted that a fabricated version had been coined by the police that co-accused on being arrested with the aforementioned contraband on 10.08.2024 had suffered a disclosure statement nominating the petitioner as being the person, who had sold the alleged contraband to him. Learned counsel contends that the disclosure statement on the basis of which he has been arraigned as an accused has minimal evidentiary value.

On a pointed query, it has been submitted by the learned counsel for the petitioner that the petitioner has no previous criminal antecedents much less ever having been involved in a case under the NDPS Act.”

3. Learned counsel for the petitioner submits that in compliance of order dated 22.10.2024, 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. In view of the above, the petition is allowed and interim order dated 22.10.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

January 27, 2025
poonam

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No