



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-55592-2024

Date of decision: February 24th, 2025

Harwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Sekhon, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail in FIR No.53 dated 29.06.2024 under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on) registered at Police Station Mallanwal, District Ferozepur.

2. Vide order dated 26.11.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“On the last date of hearing learned counsel for the petitioner had contended that the petitioner who has no previous criminal antecedents has been falsely implicated in the present case, and that too on the basis of a disclosure statement allegedly suffered by co-accused Gurpreet Singh from whom a recovery of 5Kgs. of Opium was allegedly affected.

On being put to notice, learned State counsel on instructions from Inspector Gurpreet Singh has not

disputed that the petitioner has no previous criminal antecedents and furthermore, the petitioner came to be nominated as an accused on the basis of disclosure statement allegedly suffered after four days by the co-accused Gurpreet Singh having been apprehended and arrested by the police.”

3. Learned counsel for the petitioner submits that in compliance of order dated 26.11.2024, 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 26.11.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

February 24th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No