

CRM No. M-12384 of 2015  
DECIDED ON: MAY 28, 2015

AMANDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. APS Deol, Sr. Advocate for  
Mr. Devinder Bir Singh, Advocate  
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

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JASPAL SINGH, J (ORAL)

This is a petition under Section 438 Cr.P.C seeking pre-arrest bail to the petitioner in case FIR No. 113 dated May 14, 2006 under Section 21, 61, 85 of NDPS Act, registered at Police Station Lambi, District Sri Muktsar Sahib.

2. While issuing notice of motion on April 22, 2015 following observation was made by this Court:-

*"It has been inter-alia contended by learned counsel for the petitioner that petitioner has been falsely implicated in this case. In fact, nothing has been recovered from him. As per the case of prosecution 4 gms of smack was recovered from the personal search of Amandeep Singh-petitioner while 3 gms of each was recovered from the personal search of Sukhwant Singh and Sukhjinder Singh, co-accused of the petitioner. It has further been contended that Sukhwant Singh and Sukhjinder Singh have already been tried. Since, prosecution could not establish its case against them, they were acquitted*

*of the charge. The evidence against the petitioner has already been disbelieved and discarded by learned trial Court while acquitting the co-accused of petitioner.*

*Notice of motion for 28.05.2015.*

*In the meantime, in the event of arrest the petitioner shall be released on interim bail to the satisfaction of the Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the other conditions as envisaged under Section 438 (2) of the Code of Criminal Procedure”.*

3. Learned State counsel on instructions from HC Parminder Singh submits that in compliance of order dated April 22, 2015, petitioner has joined investigation on May 14, 2015 and he is no more required for further custodial interrogation.

4. Even, otherwise 4 gms of smack was allegedly recovered from the possession of accused and co-accused of the petitioner have already been acquitted by learned Judge, Special Court, Sri Muktsar Sahib vide order dated October 25, 2013. The supplementary challan would be shortly presented before learned Judge, Special Court, Sri Muktsar Sahib against the petitioner, as has been submitted by learned State counsel. The disposal of which is otherwise not likely in near future.

5. In view of above, order dated April 22, 2015 is hereby, made absolute.

6. Disposed of.

7. However, petitioner shall abide by all the conditions, as envisaged under Section 438 (2) Cr.P.C.

**MAY 28 2015**  
SHAM

**(JASPAL SINGH)**  
**JUDGE**