

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-16541 of 2015 (O&M)
Date of Decision: 14.07.2015.

Raju Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. K.V.S. Ahluwalia, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

Petitioner Raju Singh seeks the benefit of anticipatory bail in case F.I.R. No. 242 dated 24.9.2014 under sections 15, 61, 85 of N.D.P.S Act, registered at Police Station, Samana, District Patiala.

The alleged recovery is of 60 kgs of poppy husk from co-accused Manjit Singh and Harjit Singh, who were stated to have been apprehended on the spot by a raiding party upon having received secret information.

In so far as the present petitioner is concerned, he is alleged to have ran away along with certain quantity of contraband.

While issuing notice of motion, this Court had passed the following order on 27.5.2015:-

“Counsel contends that co-accused Joga Singh against whom there are identical allegations, has been granted ad interim protection as regards arrest by this Court vide order dated 9.2.2015 passed in CRM No. M-3998 of 2015.

Notice of motion, returnable for 14.7.2015.

To be listed along with CRM No. M-3998 of 2015.

In the meanwhile, petitioner is directed to join

investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Shamsher Singh would apprise the Court that the petitioner has since joined investigation. It has further been submitted that after completion of investigation challan has already been presented against co-accused Joga Singh, Malkit Singh and Harjit Singh on 13.5.2015.

That apart, co-accused Joga Singh against whom there are identical allegations has been granted concession of anticipatory bail by this Court vide order carrying even date i.e. 14.07.2015 passed in CRM No. M-3998 of 2015.

For the reasons recorded above, petitioner is held entitled to the concession of pre-arrest bail. Present petition is accordingly, allowed. Order dated 27.5.2015, passed by this Court, is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.07.2015
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