

206

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-23929 of 2015****Date of decision: August 21, 2015**

Sukhwinder Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA**Present:** Mr. B.S. Bhalla, Advocate
for the petitioners.

Mr. R.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioners have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.48 dated 18.02.2015, under Sections 18, 21, 22 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 ('Act' for short), registered at Police Station Patti, District Tarn Taran.

Following order was passed by this Court on 30.07.2015:-

“Learned State counsel on instructions from ASI Gurbhej Singh submits that the petitioner has not been named by the co-accused. He further states that the Investigating Officer has not come to assist him.

Adjourned to 21.08.2015.

Investigating Officer is directed to be present in Court on the date fixed.

In the meantime, the petitioner shall not be arrested and shall join investigation as and when called by the Investigating Officer.”

Learned State counsel who is assisted by Sub Inspector Prabhjit Singh has submitted that petitioners have joined

investigation.

Learned counsel for the petitioners has submitted that due to inadvertence in the head note, it has been mentioned that FIR has been registered under Section 22 of the Act, whereas, it has been registered under Sections 18, 21, 22 and 29 of the Act.

A perusal of the vernacular of the FIR available on record reveals that in fact, FIR had been registered under Sections 18, 21, 22 and 29 of the Act.

Accordingly, office is directed to make necessary correction/addition in the head note of the petition.

In the present case, mother and brother of the petitioners have already been arrested. Petitioners have joined investigation.

Accordingly, this petition is allowed. In the event of arrest, petitioners be admitted to bail subject to the satisfaction of the Arresting Officer. Petitioners shall give an undertaking that they shall join investigation as and when required by the investigating agency and shall not tamper with the prosecution evidence and shall not leave the County without prior permission of the Court.

**(SABINA)
JUDGE**

August 21, 2015
mahavir