

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-3159 of 2015
Date of Decision:- 16.02.2015

Manjit Rai

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr. Randeep Singh Rana, Advocate
for Mr. Manmeet Singh Rana, Advocate,
for the petitioner.

Mr. J.S. Sekhon, Assistant Advocate General, Punjab,
for the respondent-State.

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of anticipatory bail, in a case registered against him along with his co-accused, vide FIR No.49 dated 10.04.2013, in which, he was summoned to face the trial as additional accused, in the wake of application under Section 319 Cr.P.C., filed on behalf of the prosecution, for the commission of an offence punishable under Section 25 of The Narcotic Drugs & Psychotropic Substances Act, 1985.

2. Notice of the petition was issued to the State.
3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on February 02, 2015: -

“Learned counsel, inter alia, contended that neither the name of the petitioner is mentioned nor any specific role or particular part is attributed to him in the FIR. Moreover, nothing was recovered from him. He was subsequently summoned to face the trial as an additional accused, in the wake of application under Section 319 Cr.P.C., filed on behalf of the prosecution, only on the ground that he was the owner of the vehicle in question, by the trial Court.

Heard.

Notice of motion be issued to the respondent, returnable for 16.02.2015.

Meanwhile, the petitioner is directed to appear/surrender before the next date of hearing and the trial Court would admit him to interim (provisional) bail on his furnishing adequate bail and surety bonds to its satisfaction.”

5. At the very outset, learned counsel has placed on record his affidavit and stated at the bar that the petitioner has already appeared/surrendered and the bail & surety bonds furnished by him, in pursuance of the pointed order of this Court, were attested and accepted by the trial Court.

6. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side, during the course of trial of main case, the instant petition for anticipatory bail is accepted and the interim (provisional) bail already granted to the petitioner, by virtue of indicated order by this Court, is hereby made absolute.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case, as the same has been so recorded for a limited purpose of deciding the present petition for pre-arrest bail.

February 16, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE