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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-33126-2015

Date of Decision : October 5th, 2015

Lashkar Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Present Mr. Rakesh Gupta, Advocate,
for the petitioner.

Mr. D.S.Kler, DAG, Punjab,
for the respondent-State.

SHEKHER DHAWAN, J.

Present petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case bearing FIR No. 77 dated 4.8.2015 under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 [for short, "the Act"] registered at Police Station Sadar, Nabha District Patiala.

Learned counsel for the petitioner contended that as per the prosecution version, recovery of 6 gms of smack was effected from two persons who were travelling on a scooter. Both of them were arrested on the spot. The petitioner is not involved in the commission of offence in any way and nothing is to be recovered from him. So, the petitioner be released on bail.

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Learned State counsel submitted that the name of the petitioner was disclosed in the statement of co-accused as he used to supply the contraband. The petitioner is required for investigation purposes.

In view of this, this petition is allowed and the arrest of the petitioner shall remain stayed. However, in case of the arrest of the petitioner, he shall be released on anticipatory bail on his furnishing bonds to the satisfaction of the Arresting Officer/Court. He shall join the investigation as and when required.

Disposed of.

(SHEKHER DHAWAN)
JUDGE

October 5th, 2015
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