

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-41858 of 2015 (O&M)
Date of decision: 21st December, 2015

Satwinder Singh alias Shinda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner has preferred the instant petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.18 dated 26.05.2015, registered at Police Station Ghuman Kalan, District Gurdaspur, Punjab, under Sections 411, 414 IPC, Sections 21 and 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, Section 25 of the Arms Act, 1959, Section 3 of the Official Secret Act, Section 61 of the Excise Act, Sections 3, 34, 20 of the Passport Act and Section 14 of the Foreign Act.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

In the present case, the FIR has been registered against six persons on the basis of secret information. The learned State counsel has stated that out of the said six persons, three persons

have been found innocent during investigation and one co-accused namely Davinder Singh was apprehended after registration of the FIR and only 100 grams intoxicant powder is recovered from him. The only allegation, at this stage, against the petitioner is that his name has come in the secret information. Otherwise, nothing incriminating has been recovered from him nor there is anything on the record to show his involvement in any of the offence. No useful purpose will be served by sending the petitioner to custody.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

21st December, 2015
mamta

(INDERJIT SINGH)
JUDGE