

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No.M-700 of 2015 (O&M)

Date of decision: 30th January, 2015

Goar alias Gober alias Babbu Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.S.Syan, Advocate,
for the petitioner.

Mr. S.S.Chandumajra, DAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner Goar alias Gober alias Babbu Singh has filed the present petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.72 dated 15.09.2014, registered at Police Station Bhadson, District Patiala, under Section 15 of the Narcotic Drugs & Psychotropic Substances Act, 1985.

Notice of motion was issued. Learned State counsel appeared and contested this petition.

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

As per prosecution version 5 kg. poppy husk has been recovered from the vehicle and the petitioner was not apprehended on the spot and stated to have run away from the spot. The recovery has already been effected in this case. The petitioner has already joined the investigation and he is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, the present petition is allowed and the order dated 15.01.2015, passed by this Court, granting interim bail to the petitioner is made absolute.

However, learned State counsel has also stated that the offence under Section 489 IPC has also been added in the said FIR as the number plate of the vehicle was found forged. But as per record, the vehicle was not owned by the petitioner nor he was driving it.

In view of above, anticipatory bail is also granted to the petitioner for the offence under Section 489 IPC.

30th January, 2015
mamta

(INDERJIT SINGH)
JUDGE