

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-11000 of 2016

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Date of decision:8.7.2016

Ginder Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. S.S. Sidhu, Advocate for the petitioner.

Mr. P.S. Grewal, Deputy Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.62 dated 2.6.2015 registered for the offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station Bajakhana, District Faridkot.

Notice of motion has been issued in this case.

Mr. P.S. Grewal, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

As per the allegations in the FIR, ASI Paramjit Singh along

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with Police party apprehended Mintu Singh alias Mithu Singh along with motorcycle, the recovery of 40 Kgs. poppy husk tied to the motorcycle was made. Two unknown persons riding the pillion are alleged to have been fled away from the spot. Name of the petitioner has surfaced in the disclosure statement of Mintu Singh alias Mithu Singh. The petitioner has already joined the investigation in view of the interim order passed by this Court on 31.3.2016. He is no more required for the investigation purposes. No useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 31.3.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

July 8, 2016.

(Inderjit Singh)
Judge

hsp