

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M -13738 of 2016 (O&M)

Date of decision: 02.08.2016

Manjeet Singh @ Bikka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Nirmal Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.10, dated 15.02.2016, registered under Sections 15 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Sadar Banga, District SBS Nagar.

On 25.04.2016, this Court had passed the following order:-

“As per prosecution version, an alleged recovery of 55 kgs of poppy husk is stated to have been effected from a car bearing registration no. PB-08-DE-4523. Driver of the car namely Surpreet Singh was apprehended on the spot and the present petitioner, who was stated to be sitting along side the driver, is alleged to have run away.

Counsel would argue that the petitioner was neither

apprehended on the spot nor was any recovery effected from him. He is sought to be implicated on the statement of co-accused Supreet Singh. Further submitted that even the vehicle in question is under the registered ownership of co-accused Supreet Singh.

Notice of motion, returnable for 2.8.2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

It is contended that the driver and owner, namely Surpreet Singh was arrested from the spot. The petitioner is not involved in any other FIR. In pursuance of the order dated 25.04.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 25.04.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

02.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No