

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

**Criminal Misc. No. M-18261 of 2016
Date of Decision:-20.09.2016**

Hardeep Singh alias Deepa

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Pankaj Maini, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.77 dated 14.10.2015, under Sections 15/61/85 of the NDPS Act, registered at Police Station Khanauri, District Sangrur.

This Court vide order dated 27.7.2016, has granted interim bail to the petitioner subject to joining the investigation as and when directed by the Investigating Agency/Investigating Officer and to abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

Learned counsel for the petitioner contends that no recovery of the alleged contraband was effected from the petitioner at the time of registration of the FIR. He further states that pursuant to order dated 27.7.2016, the petitioner has joined the investigation.

Learned State counsel, who is assisted by ASI Randeep Singh, has stated that though the petitioner has joined the investigation but he is not disclosing the source from where the alleged contraband came into cattle shed of the petitioner.

I have heard learned counsel for the parties.

There is no dispute that the recovery was not effected from the personal possession of the petitioner and the plea that petitioner ran away from the spot, is a matter, which required to be considered during the course of trial.

In view of the above, the present petition is allowed and interim directions issued by this Court vide order dated 27.7.2016 are made absolute.

However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

September 20, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No