

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

CRL. MISC. No.M-32592 OF 2016 (O&M)
DATE OF DECISION : 29th SEPTEMBER, 2016

Gurmukh Singh

.... Petitioner

Versus

The State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. M. S. Rai, Advocate for the petitioner.

Ms. Rimplejeet Kaur, AAG, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed this petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.120 dated 15.07.2016 registered under Sections 15/61/85 NDPS Act at Police Station Mehatpur, Tehsil Nakodar, District Jalandhar.

Heard learned counsel for the rival parties.

The petitioner is apprehending arrest in the aforesaid FIR for having possession of 20 kg of poppy husk, which is non-commercial quantity. Learned counsel for the petitioner submits that the petitioner is ready to join the investigation.

Reply filed by the State is taken on record.

Looking to the fact that for offence under Section 15 of the NDPS Act, this court was not inclined to grant bail to the petitioner. However, learned counsel for the petitioner on instructions makes statement that this is the first offence of the petitioner.

However, learned State counsel opposed the prayer of the petitioner as his custodial investigation is required.

In that view of the matter, I think the petitioner should be given an opportunity to be reform by ordering grant of bail.

Accordingly, the petition for anticipatory bail is allowed. The petitioner is directed to join the investigation as and when required by the Investigating Agency. In the event of arrest, the petitioner shall be released on anticipatory bail, on furnishing of bail bonds amounting to ₹10,000/- with one surety in the like amount to the satisfaction of the Arresting Officer.

Disposed of accordingly.

29th SEPTEMBER, 2016
‘raj’

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.