

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 33340 of 2015
Date of decision:- 23.2.2016

Sukha Singh

Petitioner

vs.

State of Punjab

Respondent

Present: Ms. GK Mann, Advocate.
Ms. HK Athwal, DAG, Punjab

M.M.S.BEDI,J.

The petitioner seeks the concession of pre-arrest bail in a case registered on the basis of general allegations against him and others on a secret information that he indulges in the smuggling of narcotics and that on investigation and arrest, recoveries can be made. The FIR in the present case was registered on 20.6.2014. The petitioner has also been involved as accused in another FIR No. 229 of 20.11.2014 for having been found in possession of 500 grams of intoxicating powder. It has been informed that he has been granted bail in the said case. A dispute has been raised regarding petitioner having joined the investigation in the present case. Without entering into the said controversy, it is sufficient to observe that the FIR has been registered on the basis of a secret information, without effecting any recovery.

The involvement of the petitioner would certainly be a debatable issue during trial.

Accordingly, the petition is allowed and interim order dated 30.9.2015 is hereby confirmed and it is ordered that in case of arrest of the petitioner in FIR No. 149 dated 20.6.2014 u/s 21/22 of NDPS Act, Sections 411/414/336 IPC, Section 14 of Foreigners Act and Section 3 of Indian Passport Act registered at P.S. Ajnala, he will be released on bail to the satisfaction of the arresting officer subject to the condition that he will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation.

February 23 ,2016

(M.M.S.BEDI)

TSM

JUDGE