

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

CRM No.M-37296 of 2016 (O&M)

Date of decision: December 16, 2016

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Manjit Kaur, Advocate for
Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Jatinder Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.97 dated 24.09.2016, registered at Police Station Mahilpur, District Hoshiapur, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, smack weighing 35 grams has been recovered from a car. The aforesaid quantity falls in the category of non-commercial. The present petitioner was not arrested at the spot and fled away.

In pursuance of the interim order dated 20.10.2016, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 20.10.2016, 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.

December 16, 2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No