

Sr. No. 204

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-42324 of 2015 (O&M)
Date of Decision: 06.04.2016

Naresh Kumar @ Raju

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vaibhav Sehgal, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No. 122 dated 03.11.2015, under Sections 22/61/85 of Narcotic Drugs and Psychotropic Substances Act, for short 'NDPS Act'), registered at Police Station Division No.8, Kailash Chowk, Ludhiana, District Ludhiana.

Notice of motion was issued in the present petition on 15.12.2015 and the petitioner was granted ad interim protection as regards arrest subject to his joining investigation.

Learned State counsel upon instructions from ASI Sawinderjit Singh would apprise the Court that petitioner has since joined investigation.

Suffice it to notice that the FIR in question was registered

on the basis of secret information and two co-accused, namely, Sukhchain Singh and Anwar Mohammad were apprehended on the spot and a recovery of 100 grams of heroin was effected from the afore-noticed two co-accused. Insofar as the present petitioner is concerned, he was alleged to have fled away from the spot. No recovery is stated to have been effected from him.

Petitioner is also not stated to be involved in any other case under the NDPS Act.

Petitioner having joined investigation, his custodial interrogation would not be warranted.

Present petition is allowed. Order dated 15.12.2015, passed by this Court, is made absolute.

Disposed of.

06.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**