

CRM-M No.43732 of 2016

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

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**C.R.M-M No.43732 of 2016
Date of Decision : 14.12.2016**

Tilak Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. H.S. Brar, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.95 dated 01.09.2016, registered under Sections 21, 24, 61, 85 of the NDPS Act and Sections 25, 54, 59 of the Arms Act, at Police Station Sadar Jalalabad, District Fazilka.

Learned counsel for the petitioner argues that recovery of one pistol and 8 packets of heroin weighing 7 kg was made from the field and the petitioner's father was arrested and the petitioner sought to be

implicated on the alleged disclosure statement of his father and there is no other case pending against him under the NDPS Act.

Learned Additional Advocate General on instructions from H.C. Jaswant Singh has accepted these factual assertions.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 21.12.2016 and on any other date as and when his presence is required. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

December 14, 2016
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(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No