

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

**CRM No.M-44158 of 2015 (O&M)
Date of decision:01.04.2016**

Mewa Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Gurlal Singh Sandhu, Advocate for
Mr. SPS Sidhu, Advocate for the petitioner.

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

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.302 dated 03.12.2015, under Sections 22/25/61/85 of the NDPS Act, registered at Police Station Sadar Ferozepur, District Ferozepur.

While issuing notice of motion on 24.12.2015, the following order was passed by this Court:

“It is inter alia argued that the petitioner was not apprehended from the spot and that the recovery, if any alleged to have been made from the conscious physical possession of his coaccused and the petitioner has been arrested only on the basis of statement of his co-accused, which is a debatable issue.

Notice of motion for 11.02.2016.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from HC Major Singh apprises the Court that the petitioner has since joined investigation. That apart, the observations contained in the notice of motion order have been gone unrebutted.

Accordingly, the present petition is allowed. Order dated 24.12.2015 passed by this Court is made absolute.

Disposed of.

01.04.2016

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE