

Sr. No.210

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-5612 of 2016 (O&M)
Date of Decision: 17.05.2016

Triflay Naushad

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Veneet Sharma, 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 anticipatory bail to the petitioner in case FIR No.13 dated 21.07.2015, under Sections 21, 25, 29 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station State Special Operations Cell, Amritsar.

On 14.03.2016, the following order was passed by this Court:-

“During the course of arguments, it has transpired that the alleged recovery of 3 kgs. of heroin was effected from Balwinder singh @ Billu, Nirmal Singh and Rohit Kumar. The present petitioner was not apprehended on the spot and there is no recovery from his person. Petitioner is sought to be implicated on the basis that his name figured in the secret information provided as also as per disclosure statement suffered by co-accused, Balwinder Singh @ Billu.

Even though, the petitioner is stated to be involved in yet another FIR i.e. FIR No.362 dated 25.09.2014, under Section 22 of the NDPS Act, registered at Police Station City Tarn Taran but it is the conceded position of fact that he is on bail in such matter.

List on 17.05.2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

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

That apart the contentions noticed in the order dated 14.03.2016 on behalf of the petitioner have gone un rebutted.

In view of the above, prayer made in the present petition is accepted.

Order dated 14.03.2016 passed by this Court is made absolute.

Disposed of.

17.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**