

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

**Crl. Misc. No.M-17297 of 2017 (O&M)
Date of Decision: September 25, 2017**

Pawan Kumar

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sumit Singh Bairagi, Advocate for
Mr. Sandeep Kumar Passi, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, A.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 81 dated 29.04.2017 registered for the offences punishable under Sections 21, 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 and 15 of Indian Medical Council Act, 1956 at Police Station Kotwali Bathinda.

Heard.

Learned State counsel on instructions from ASI Bhupinder Singh submits that the name of the petitioner cropped up during investigation of the case as the accused from whom contraband was recovered, have stated that they have purchased the contraband from the petitioner. He further submits that the petitioner has joined the investigation

which is still in progress but his custodial interrogation is not required for

the purpose of further investigation.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 17.07.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

September 25, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***