

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

**Crl. Misc. No.M-19239 of 2017 (O&M)
Date of Decision: September 18, 2017**

Shakeel Ahmed

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S.Rawat, 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. 30 dated 09.02.2017 registered for the offence punishable under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Division No. 1, Pathankot.

Heard.

The recovery of 3 quintals 39 kgs 500 gms of poppy-husk was effected from the truck bearing No. JK-02-AC-7215. The driver of the truck had escaped from the spot.

Learned State counsel on instructions from ASI Lalu Raj submits that on the date of incident i.e. 09.02.2017, the truck was owned by the petitioner, however, he was not identified as the driver of the truck.

Keeping in view the above fact but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 26.05.2017 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.

September 18, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

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

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