

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

**CRM NO. M-21727 OF 2017
DECIDED ON : 17.08.2017**

Vikas Kumar

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Ms. Parminder Kaur, Advocate for
Mr. S. K. Passi, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.65 dated 15.04.2017 under Section 22 of NDPS Act, registered at Police Station Moga City.

Learned counsel for the petitioner contends that no recovery has been effected from the petitioner and in fact the chemist shop of the petitioner was duly inspected and nothing incriminating was recovered and the petitioner is holding a valid license to run the chemist shop. He has placed reliance on the Spot Memo dated 21.04.2017 (Annexure P-3). He also contends that earlier the petitioner had been granted interim bail by the Special Court on 26.05.2017 and only after the application of the Investigating Officer that the petitioner is not cooperating, the bail application was dismissed.

Learned counsel further states that the petitioner has been arrayed as an accused on the statement of one Manjit Singh, with whom the petitioner has no connection.

This Court, vide order dated 13.06.2017, had directed the petitioner to join investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Varinder Kumar, states that in pursuance to the order dated 13.06.2017 the petitioner has joined investigation and is not required for custodial interrogation.

In view of the above and without expressing any opinion on the merits of case, the order dated 13.06.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

AUGUST 17, 2017

shalini

1. Whether speaking/reasoned : YES/NO
2. Whether reportable : yes/no