

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

**Crl. Misc. No.M-22955 of 2017 (O&M)
Date of Decision: September 14, 2017**

Ajay Kumar

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, 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. 12 dated 12.01.2017 registered for the offences punishable under Sections 18 and 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Amritsar, District Amritsar.

Heard.

Learned State counsel on instructions from ASI Nirmal Singh submits that petitioner has joined the investigation which is still in progress. The recovery effected in this case is about 2 lakh tablets of contraband. The name of the petitioner was disclosed by his co-accused as he was not apprehended at the spot.

The identity of the petitioner and his conscious possession over

contraband is an aspect, which is a subject matter of investigation.

Keeping in view the fact that the petitioner has joined the investigation, but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 13.07.2017 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.**

Nothing observed in this order shall be treated as opinion of this Court on any aspect of the case.

September 14, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

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

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