

CRM NO. M-29151 of 2017 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-29151 of 2017 (O&M)
DECIDED ON : 25.09.2017

Sukhdev Singh

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Kawaljyot Singh, Advocate for the petitioner.

Ms. Seena Mand, Deputy Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 301, dated 15.11.2014, under Sections 411, 414, 489-A, 489-B, 489-C IPC, Sections 15/18/21/22/61/85 of NDPS Act and Section 25 of Arms Act, registered at Police Station Patti, District Tarn Taran.

Learned counsel for the petitioner contends that the allegations in the FIR are vague and general in nature as it is stated that the petitioner along with 29 others is dealing in poppy, heroine, smack, weapons & ammunition and fake currency and robbery. Therefore, prima-facie, case under NDPS Act is not made out against the petitioner. He further states that the FIR has been registered in the year 2014 but no recovery whatsoever has been effected from the petitioner.

This Court vide order dated 21.08.2017, had directed

the petitioner to join investigation and in the event of his arrest, he was 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, upon instructions from ASI Panna Lal states that the petitioner has joined investigation and is not required for custodial interrogation.

The allegations in the FIR are vague and nebulous. It is not stated therein as to whether the petitioner has actually committed prima-facie offence under NDPS Act. No recovery has been effected from the petitioner, although the FIR was registered in the year 2014. The petitioner has joined investigation and is not required for custodial interrogation, therefore, the order dated 21.08.2017, 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. This will not be construed as any expression on the merits of the case.

September 25, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>