

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36895 of 2017

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Date of decision:23.10.2017

Joginder Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. K.S. Aulakh, Assistant Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.247 dated 10.9.2017 registered for the offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police Station City Nathana, District Bathinda.

Notice of motion has been issued in this case.

Mr. K.S. Aulakh, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

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From the record, I find that as per the prosecution version the recovery in the present case is 3 Kgs. poppy husk. The petitioner is stated to have run away from the spot after throwing away the plastic bag. The petitioner is not required for custodial interrogation as the recovery has already been effected. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I accept this criminal miscellaneous petition and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/ Investigating Officer. The petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

October 23, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No