

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

**CRM-M No.37755 of 2017
Date of Decision : 26.10.2017**

Gurpavittar Singh alias Sai

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. Advocate General, Punjab
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure seeking anticipatory bail on behalf of the petitioner in case FIR No.16 dated 4th August, 2017, registered under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') at Police Station SSOC, District Amritsar.

Perused Case Diary.

The petitioner is undoubtedly named in the FIR. But he was neither apprehended from the spot nor any recovery was directly made from him. The statement of the co-accused allegedly made against him does not indicate the petitioner to be an active member of

any gang. There is also no record of his involvement in any other case under the NDPS Act.

For the reasons mentioned above, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Investigating/Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, the petitioner will be permitted to furnish bail bonds to the satisfaction of the Ld. Trial Court.

Disposed off.

October 26, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No