

CRM-M-39862-2017

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

**CRM-M-39862-2017 (O & M)
Date of Decision:01.12.2017**

Baljinder Singh @ Sonu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Arti Kaur, Advocate for
the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Baljinder Singh @ Sonu has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.52 dated 03.05.2017, registered at Police Station Sadar, Nawa Shahar, District S.B.S.Nagar, under Sections 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 186 and 353 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel 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 there is no recovery effected from the present petitioner. Moreover, the recovery effected from the co-accused falls in non-commercial quantity.

It is argued by learned counsel for the petitioner that co-accused from whom recovery has been effected, is already on bail.

In pursuance of the interim order dated 26.10.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 26.10.2017, granting interim bail to the petitioner, is made absolute. However, 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.

01.12.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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