

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

205

CRM-M No. 10540 of 2018 (O&M)  
Date of Decision: 25.4.2018

Manjit Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr.Divjyot Singh Sandhu , Advocate,  
for the petitioner.

Mr. Hittan Nehra, Addl., AG, Punjab.

\*\*\*\*

**RAJ MOHAN SINGH, J.(oral)**

Petitioner seeks grant of anticipatory bail under  
Section 438 Cr.P.C in case bearing FIR No. 177 dated  
29.6.2017 registered under Sections 22/ 61/ 85 of the NDPS Act  
at Police Station Sultanpur Lodhi, District Kapurthala.

On 14.3.2018, following order was passed by this  
Court:-

“Learned counsel for the petitioner

contends that petitioner is accused of an offence under Section 22 of the NDPS Act in which 105 grams of intoxicant substance was allegedly recovered. The recovery was marginally more than the quantity prescribed for commercial category. Petitioner was granted interim bail till report from FSL is received. Now as per FSL report, the substance has been detected to be of Alpazolam and the bail has been cancelled. Learned counsel relies upon CRM-M No.8636 of 2017 decided on 19.04.2017.

Notice of motion for 25.04.2018.

Till then, arrest of the petitioner is stayed.”

Learned counsel for the petitioner submitted that in view of alleged quantity recovered from the petitioner, the case can be considered on the basis of order dated 19.4.2017 passed by this Court in CRM-M No. 8636 of 2017. In addition to that learned counsel also referred to the search having been conducted by ASI himself in violation of Section 50 of the NDPS Act.

At this stage, without meaning anything on the merits of the case, petitioner is directed to join the investigation on 30.4.2018 and in the event of his arrest, he shall be enlarged on bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer subject to the following

conditions as envisaged under Section 438(2) Cr.P.C.:-

1. That he shall make himself available for interrogation by a police officer as and when required.
2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
3. That he shall not leave India without prior permission of the Court.

Disposed of.

**April 25, 2018**

anita

**(RAJ MOHAN SINGH)  
JUDGE**

**Whether reasoned/Speaking  
Whether reportable**

**Yes/No  
Yes/No**