

CRM-M-14224-2018

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

CRM-M-14224-2018

Date of Decision: 27.08.2018

Joginder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sanjeev K. Virk, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Joginder Singh 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.28 dated 07.04.2017, registered at Police Station Nurmahal, District Jalandhar, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

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.

As per the FIR, 15 grams of intoxicant powder containing Alprazolam Salt was recovered, which is not a commercial quantity. The

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allegation against the present petitioner is that co-accused had purchased the intoxicant powder from him.

Learned State counsel submits that the petitioner has not joined the investigation so far. However, learned counsel for the petitioner submits that as per his instructions, the petitioner has joined the investigation.

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 05.04.2018, 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. The petitioner is also directed to join the investigation on 30.08.2018 at 10.00 A.M. If the investigating officer does not join the petitioner in the investigation, the petitioner will file application before the Illaqa Magistrate informing him about those facts on that very day. If the petitioner does not join the investigation on the date fixed i.e. 30.08.2018, instant petition shall be treated as dismissed.

27.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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