

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

CRM No.M-20659 of 2018 (O&M)

Date of Decision: July 27, 2018

Gurdarshan Singh @ Darshan Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr.Pawan Sharda, Sr.DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.28 dated 07.05.2013 under Section 18 of the NDPS Act, registered at Police Station Sarai Amanat Khan, District Amritsar City, Tarn Taran.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

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

As per prosecution version, 1 kg. of opium has been recovered from the co-accused, which falls under non-commercial quantity. The petitioner was innocent during investigation and his name was shown in

column No.2. Now, he has been summoned by the trial Court under Section 319 Cr.P.C.

In compliance of the order dated 16.05.2018, the petitioner has already surrendered before the trial Court and has been released on interim bail. As the petitioner has been summoned by the trial Court, he is only to face the trial. He is not required for investigation or custodial interrogation. Nothing is to be recovered from him. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 16.05.2018 granting interim bail to the petitioner, is made absolute.

July 27, 2018

Vgulati

Whether speaking/reasoned

Whether reportable

(INDERJIT SINGH)**JUDGE****Yes****No**