

CRM-M-22771-2018

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

CRM-M-22771-2018

Date of Decision: 12.09.2018

Amrinderbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner 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.13 dated 10.06.2017, registered at Police Station State Special Operation Cell, District Amritsar, under Sections 21, 29 and 25 of the NDPS Act, 1985 and Section 25 of the Arms Act, 1959 added subsequently.

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 gone through the record.

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As per the allegations in the FIR, the present petitioner is named by the secret informer that he alongwith co-accused deals in narcotics. At the time of recovery, the present petitioner was not there, nor any recovery has been effected from him. Rather, heavy/commercial quantity of heroin has been recovered from the co-accused. One of the co-accused, who was apprehended, is the father of the present petitioner. The motor-cycle is stated to be in the name of present petitioner, which was used by his father.

In pursuance of the interim order dated 25.05.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected from the co-accused. 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 25.05.2018, 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.

12.09.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

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