

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

**CRM-M No.25961 of 2018 (O&M)
Decided on: 13.09.2018**

Balvir Singh @ Bira

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Rajesh K. Dadwal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR
FIR No.47 dated 27.03.2017 registered under Sections
15/18/21/22/61/85 of the Narcotic Drug and Psychotropic Substances
Act, 1985, at Police Station Garhshankar, District Hoshiarpur.

The operative part of the order dated 14.06.2018, vide
which interim anticipatory bail has been granted to the petitioner, is
reproduced as under:-

*“....Counsel for the petitioner has submitted that
the FIR was registered on the basis of some secret
information against 09 persons and subsequent thereto, no
recovery was effected from the petitioner or any other co-
accused. It is further submitted that the Additional
Sessions Judge vide order dated 17.04.2017 had granted
interim anticipatory bail to the petitioner subject to
joining the investigation and appearance before the
Investigating Officer, however, the petitioner could not*

appear before the Investigating Officer on account of some communication gap between him and his counsel and the Additional Sessions Judge vide order dated 06.06.2017 had dismissed the application.

Counsel for the petitioner has further submitted that, at the first instance, all the accused persons were granted anticipatory bail and the petitioner is ready to appear before the Investigating Officer and join the investigation.

Notice of motion for 13.09.2018....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 14.06.2018, the petitioner has already appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Surjit Kumar, has not disputed the aforesaid fact and submits that the petitioner is involved in some other cases, in which he is on bail.

In view of the above and considering the fact that it is case of no recovery, this petition is allowed and the interim bail granted to the petitioner vide order dated 14.06.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

13.09.2018
yakub

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