

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-26441 of 2018

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Date of decision:2.7.2018

Fakaria Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. S.S. Gill, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Senior Deputy Advocate General,
Punjab for the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.72 dated 24.5.2018 registered for the offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station Ghagga, District Patiala.

Notice of motion has been issued in this case.

Mr. Ramandeep Sandhu, learned Senior Deputy Advocate General, Punjab 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.

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From the record, I find that the FIR has been registered against the present petitioner on the basis of a secret information that he is habitual of selling poppy husk. As per the allegations, from the car, which was lying parked, 17 Kgs. of poppy husk was recovered. The recovery from the petitioner is non-commercial and recovery has already been effected. The petitioner is not required for custodial interrogation. He has not been apprehended on the spot. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I accept this criminal miscellaneous petition and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/ Investigating Officer. 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.

July 2, 2018.

(Inderjit Singh)
Judge

hsp

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