

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

**CRM-M-27842-2018
Date of decision: 01.11.2018**

Bohar Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. R. S. Sidhu, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 09 dated 29.03.2018, under Sections 21, 23, 28, 29, 30 of the NDPS Act, registered at Police Station State Special Operation Cell, Fazilka, District Fazilka.

The operative part of the order dated 20.07.2018, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners submits that the FIR was registered on a secret information that the petitioners along with two other coaccused Amarjit Singh and Prabhjit Singh are indulged in illegal activity and can be apprehended if investigation is carried out. Counsel for the petitioners further submits that co-accused of the petitioners namely Amarjit Singh and Prabhjit Singh were arrested, however, except cash currency, no narcotic contraband was recovered from them. It is further submitted that the petitioners have no such previous record of involvement in any other criminal case and the very

fact that no such recovery was made from the co-accused, who have been arrested and the petitioners have been falsely implicated in the present FIR.

Learned State counsel, on instructions from HC Balkar Singh, submits that from the co-accused, no narcotic contraband was recovered and only the cash currency was recovered.

List again on 01.11.2018. ”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 20.07.2018, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Sukhjeet Singh, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 20.07.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

November 01, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No