

CRM-M-28412-2018

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

CRM-M-28412-2018

Date of Decision:17.09.2018

Balvinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bikram Chaudhary, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. 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.63 dated 10.05.2018, registered at Police Station Ghagga, District Patiala, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion was issued in this case. Learned State counsel 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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From the record, I find that as per the allegations in the FIR, recovery of some tablets containing salt of 'Tramadol' and 'Alprazolam' was effected from one Pavitar Singh. During the investigation, Pavitar Singh made the statement that he had purchased these tablets from the present petitioner. During the arguments, it is admitted that the present petitioner is a chemist and has a licence to run the chemist shop.

In pursuance of the interim order dated 31.07.2018 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 main 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 31.07.2018, 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.

17.09.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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