

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

CRM-M-29497-2018 (O&M)
Date of decision: 1.11.2018

Vijay Kumar

..Petitioner(s)

VERSUS

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Satnam Singh Gill, Advocate.
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.63 dated 22.5.2018 registered for the offences punishable under Sections 15 and 25 of NDPS Act at Police Station Passiana, District Patiala.

Heard.

The allegation against the petitioner is that he was driving the vehicle containing 32 KG of poppy husk and on seeing the police party, he escaped. The alleged recovery falls within the non-commercial quantity of contraband and at the time of recovery, the petitioner could not be arrested. However, he was identified by ASI Jaswinder Singh.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 17.7.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for
interrogation by the police as and when required;

- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

November 1, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No