

CRM-M-29219-2017

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

CRM-M-29219-2017

Date of Decision: 03.08.2018

Jatinder Singh @ Love

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Jatinder Singh @ Love 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.199 dated 28.06.2017, registered at Police Station A-Division, Amritsar, under Sections 22 and 29 of the NDPS 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 have gone through the record.

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From the record, I find that as per the allegations, intoxicant material containing Tramadol salt was recovered from the present petitioner. The present FIR was registered in June, 2017 i.e. much before the Notification dated 26.04.2018 issued by the Government. Otherwise also, recovery effected in the present case falls in non-commercial quantity.

The petitioner has already joined the investigation. He is now not required for custodial interrogation. 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. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

03.08.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

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