

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-37032-2018

Date of Decision: 10.10.2018

Sukhwinder Singh @ Toni Baba

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Dilraj Singh Bhinder, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J.

Petitioner Sukhwinder Singh @ Toni Baba has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.116 dated 19.07.2018, registered at Police Station City, District Hoshiarpur, under Sections 21/29/61/85 of NDPS Act.

Notice of motion was issued in this case.

Learned State counsel has appeared 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.

As per the prosecution version, 2 grams of heroin had been recovered from co-accused-Shiv Kumar, which was alleged to be purchased from present petitioner-Sukhwinder Singh @ Toni Baba. The said recovery falls in non-commercial quantity.

In pursuance of the interim order dated 28.08.2018, passed by this Court, the petitioner has already joined the investigation. He is not

required for custodial interrogation. The recovery has already been effected.

No useful purpose would be served by sending the petitioner 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 28.08.2018, 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.

10.10.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No