

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

CRM-M-37917-2018

Date of Decision: 09.10.2018

Ajay Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Kuldeep Singh, Advocate
for the petitioner.

Mr. Luvinder Sofat, A.A.G. Punjab.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for anticipatory bail under the provision of Section 438 of Cr.P.C in case FIR No.54 dated 28.5.2018 registered under Section 22 of NDPS Act at Police Station Mehtiana, District Hoshiarpur.

2. Learned counsel for the petitioner submitted that petitioner's name has been cropped up in the matter on the score that the motorcycle which seized stands in the name of the petitioner's mother Balbir Kaur. Even though allegation against the petitioner is that he ran away from the spot in respect of recovery of 88 Capsules of SPASMO PROXYXON PLUS from one Shashi Kumar.

3. It is not disputed that intoxicant capsules which were stated to have been recovered is non-commercial quantity and petitioner's name is not involved in any other case.

4. Accordingly, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on pre-arrest anticipatory bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction subject to the conditions as envisaged under Section 438(2) Cr.P.C.

5. Petition stands allowed accordingly.

09.10.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No