

CRM-M-39152-2018

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

CRM-M-39152-2018

Date of Decision: 08.10.2018

Dilbagh Singh @ Dara

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Dinesh Sharma, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.46 dated 26.03.2017, registered at Police Station Ladhuwal, District Police Commissionerate Ludhiana, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion was issued in this case. Learned State counsel has 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.

From the record, I find that the petitioner absented himself from the court proceedings on 30.01.2018; his bail was cancelled and warrant of arrest was issued against him.

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Perusal of FIR shows that in the present case, recovery effected from the present petitioner is only 3 grams of heroin.

In pursuance of the interim order dated 11.09.2018 passed by this Court, the petitioner has already surrendered before the court concerned and has been released on interim bail.

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 that the petitioner is only to face the trial which may take a long time and no useful purpose will be served by sending him to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 11.09.2018, granting interim bail to the petitioner, is made absolute.

08.10.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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