

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

**CRM-M-41766-2018
Date of Decision: 26.09.2018**

Jasvir Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present : Mr. Narinder 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 Cr.P.C in case FIR No.46 dated 16.05.2016 (Date 16.05.2018 is wrongly mentioned in the order of trial Court but actual date as per FIR is 16.05.2016) registered under Section 22 of the NDPS Act, 1985 at Police Station Bhikhi District Mansa.

2. While ordering notice of motion on 21.09.2018, learned State counsel was directed to verify whether petitioner is involved in any other case and so also with reference to FIR No.14 dated 4.3.2010.

3. Today learned State counsel on instructions from ASI Pritam Singh submitted that as on today petitioner is facing the present case and in the year 2010, petitioner is stated to have been discharged.

4. Having regard to the recovery of 350 tablets of Alprazolam weighing 0.5 mg even assuming that total quantity is required to be taken into consideration which would be a non commercial.

5. In view of these facts and circumstances, 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. The petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial.

6. Petition is allowed accordingly.

26.09.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**