

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

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**CRM-M-46969-2018 (O&M)
Date of Decision : 30.10.2018**

Sandeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr.Amandeep Chhabra, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

P.B. BAJANTHRI, J.(ORAL)

In the present petition, petitioner seeks anticipatory bail under the provision of Section 438 Cr.P.C. in FIR No.76 dated 02.09.2018 under Sections 29/22 of NDPS Act, registered at Police Station Bahawala, District Fazilka (Annexure P-1).

2. Learned counsel for the petitioner submitted that petitioner was not apprehended in the aforesaid FIR. His name has been cropped up on the disclosure statement of co-accused Kuldeep Kumar to the extent that petitioner and Kuldeep Kumar have purchased the tablets which were seized by the police authorities from co-accused. It was also submitted that petitioner is not involved in any other case. Hence petitioner is entitled for anticipatory bail.

3. On the other hand learned State counsel on instructions of ASI Baljit Singh has not disputed the fact that he is not involved in any other case.

4. Heard the learned counsel for the parties.

5. Having regard to the aforesaid facts and circumstances that petitioner was not apprehended so also he is not involved in any other case, petitioner is entitled for anticipatory bail.

6. Petitioner is directed to appear before the Investigating Officer and join the investigation. In the event of his appearance, Investigating Officer shall release him on interim bail on his furnishing bail/surety bonds to his entire satisfaction. He shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C

7. 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 investigation.

8. Petition stands allowed.

30.10.2018

pooja saini

**(P.B. BAJANTHRI)
JUDGE**

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No