

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-47046-2017(O&M)

Date of Decision: 06.02.2018

Amrik Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Deepak Aggarwal, Advocate for the petitioner.

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.99 dated 13.9.2017 under section 61 of Excise Act and section 15 of N.D.P.S Act, registered at Police Station, Nandgarh, District Bathinda.

On 18.12.2017, the following order was passed by this Court:-

“The petitioner is seeking anticipatory bail in FIR No. 99 dated 13.09.2017 under Section 61 Excise Act and 15 NDPS Act, registered at Police Station Nandgarh, District Bathinda.

Learned counsel for the petitioner contends that the case was registered on the basis of secret information to the effect that petitioner along with Reshan Singh Kauni was travelling in a car for selling liquor and poppy husk and the car overturned in the fields of village. The occupants of the car had suffered injuries. He further states that the petitioner did not suffer any injury and was not one of the occupants of the car and he has been falsely implicated. It is also contended that the petitioner is not involved in any other criminal case

and that the alleged recovery of 60 bottles of liquor and 1 kg of poppy husk is effected from the car.

List on 06.02.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer and join the investigation.

In the event of arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall join investigation as and when called upon to do so and shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Gamdoor Singh would apprise the Court that the petitioner has since joined investigation.

It has also gone uncontroverted that the petitioner is not involved in any other case under the N.D.P.S Act.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 18.12.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

06.02.2018

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No