

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

**Criminal Misc. No. M-5122 of 2018
Date of decision: 24.07.2018**

Manjinder Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.43 dated 15.06.2016 registered under Sections 21/22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Tarsikka, District Amritsar.

Learned counsel for the petitioner submits that earlier the petitioner was released on interim bail vide order dated 01.10.2016 as FSL report was not received. Thereafter the challan has been presented at the back of the petitioner and copy of the challan has also not been supplied to him. Learned counsel further submits that the petitioner could not appear before the Investigating Officer/Trial Court as he was admitted in the Hospital because of multiple injuries. The petitioner is ready to join the Court proceedings or to abide by all terms and conditions to be imposed by

this Court or by the trial Court.

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Learned State counsel submits that a number of cases under NDPS Act are pending against the petitioner and in the present case, the quantity is commercial. Learned State counsel also submits that the petitioner was sent notice before presentation of challan but neither he came present before the Investigating Officer nor before the trial Court and because of this reason, the challan was presented at his back.

It is also the argument of learned counsel for the petitioner that in all the cases, the Investigating Officer is the same and the petitioner has falsely been implicated in number of cases by the same I.O. whereas learned State counsel submits that different Investigating Officers are there and the FIRs have also been registered in different Police Stations.

In view of the submissions made by learned counsel for the parties, the petitioner is directed to surrender before the trial Court on or before the next date of hearing i.e., 11.09.2018. In case, the petitioner surrenders before the trial Court and moves an application for regular bail, the trial Court is directed to consider the same and pass necessary order in accordance with law within a period of two weeks thereafter.

The petition is dismissed with the aforesaid direction.

24.07.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No