

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9419 of 2018

Date of Decision: 28.05.2018

Balwinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

Ms. Monika Jalota, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 2 dated 19.01.2018 registered for offences punishable under Sections 21/25/29 of Narcotic Durgs and Psychotropic Substances Act, at Police Station Special Operation Cell, Fazilka, District Fazilka.

Heard.

Learned State counsel submits that the petitioner has joined the investigation but is not cooperating by providing SIM of his mobile. She submits that the SIM of mobile of petitioner is required to have details of his complicity in the matter and for conversation with other drugs peddlers. It is, however, submitted that no recovery of any contraband was effected from the petitioner in this case.

Submission of learned State counsel that recovery of SIM of mobile of petitioner is required, is not tenable as investigating officer can always get call details of petitioner without even getting the SIM as he is

aware of mobile number of the petitioner.

Keeping in view above facts and that no recovery of any contraband was effected from the petitioner, this petition is allowed and order dated 14.03.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

May 28, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No