

CRM-M-1607-2019

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

CRM-M-1607-2019

Date of Decision: 07.02.2019

Laddi Singh @ Charna

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. L.S.Sekhon, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.214 dated 12.12.2018, registered at Police Station Sadar Dhuri, District Sangrur, under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'the Act').

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that recovery of 5000 tablets containing

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Singh @ Lakha. The present petitioner has been nominated on the disclosure statement of co-accused, who stated that he had purchased these tablets from the petitioner. At this stage, there is only disclosure statement of co-accused against the petitioner and no other evidence has been collected qua him. At the most, the offence allegedly committed by the present petitioner falls under Section 29 of the Act and Section 37 of the Act does not apply in the present case qua the petitioner.

In pursuance of the interim order dated 16.01.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 16.01.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

07.02.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No