

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

**CRM No.M-2822 of 2019 (O&M)
Date of Decision: February 22, 2019**

Vishal Kumar @ Seeta @ Surjit Kumar

...Petitioner

VERSUS

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sanjeev K. Virk, Advocate
for the petitioner.

Mr.Dhruv Dayal, Sr.DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.343 dated 07.12.2018 under Section 15 of the NDPS Act, registered at Police Station Phillaur, Jalandhar.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

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

As per prosecution version, 77.500 kgs. of poppy husk has been recovered from co-accused Deepak Kumar lying in his house. Deepak Kumar made disclosure that he along with his brother Pawan and present petitioner had purchased one quintal of poppy husk on 02.12.2018. No

other recovery has been effected in this case. The petitioner has been nominated only on the basis of disclosure statement. So far, there is no other circumstance to connect the present petitioner with the recovery except the disclosure statement.

The petitioner has already joined the investigation. Recovery has already been effected. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending and keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 22.01.2019 granting interim bail to the petitioner, is made absolute.

February 22, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No