

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7947-2019

Date of Decision: 06.05.2019

Harpreet Singh @ Billa

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Harpreet Singh @ Billa has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.6 dated 11.01.2019, registered at Police Station Nihal Singh Wala, District Moga, under Section 22 of the NDPS Act, 1985.

Notice of motion was issued.

Learned State counsel has appeared 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 have gone through the record.

From the record, I find that a recovery of 130 grams intoxicant powder has been effected from co-accused Rajinder Singh. The alleged recovery falls in non-commercial quantity. The allegation against the present petitioner is that at the time of recovery, he had fled away from the spot.

In pursuance of the interim order dated 28.02.2019, passed by

this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has already been effected. No useful purpose would 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 28.02.2019, 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.

06.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No