

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-14029-2019 (O & M)

Date of Decision: 21.05.2019

MANJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Ashmeet Gill, Advocate for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.211 dated 31.10.2018, under Section 15 of the NDPS Act, registered at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner contends that the FIR was registered on the basis of secret information which was not reduced into writing. The petitioner is neither the owner nor driver of the car and no recovery was effected from him. He was not arrested from the place of occurrence. Even the car number is not mentioned in the FIR. The alleged recovery is 60 kgs of poppy husk, which is marginally above the non-commercial quantity. The recovery was effected from co-accused namely Baru Singh, who is in custody.

A coordinate Bench of this Court, by the order dated 28.03.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on

ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from HC Sikander Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 28.03.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

May 21, 2019
A.Kaundal

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No