

**CRM-M-15940-2019**

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

**CRM-M-15940-2019**

**Date of Decision: 07.05.2019**

Tony Singh

... Petitioner)

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Satnam Singh Gill, 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.16 dated 09.02.2019, registered at Police Station Sherpur, District Sangrur, under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

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.

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From the record, I find that as per the prosecution version, 30 gram of intoxicant substance was recovered from co-accused, Shinder Kaur and Reshma Rani. The present petitioner has been nominated by the co-accused stating that they had purchased the intoxicant substance from the present petitioner.

In pursuance of the interim order dated 08.04.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Recovery has not been effected from him, rather has been effected from the co-accused. 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 08.04.2019, 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.

**07.05.2019**

parveen kumar

**(INDERJIT SINGH)  
JUDGE**

|              |                           |   |     |
|--------------|---------------------------|---|-----|
| <b>Note:</b> | Whether speaking/reasoned | : | Yes |
|              | Whether reportable        | : | No  |