

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.17643 of 2019
Decided on: 16.08.2019

Satinderpal Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : None for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.31 dated 23.03.2019, registered under Section 16 of the NDPS Act at Police Station Bhikhi, District Mansa.

The operative part of the order dated 18.04.2019, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that petitioner is working as Vice Principal in National College, Bhikhi and as per the allegations in the FIR, which was registered on a secret information, it is stated that poppy plants are planted in the hostel of the College and if a raid is conducted, the same can be recovered.

Learned counsel for the petitioner further submits that thereafter the police conducted a raid and without giving any notice to the petitioner, the recovery of the poppy heads was effected.

It is further submitted that in fact there is a dispute

of two factions of the management and a civil suit is already pending and the petitioner being an academician was not incharge of the estate of the College especially of the hostel where the poppy plants were allegedly planted.

Learned counsel for the petitioner further submits that in fact it is the job of the management to manage the estate of the College premises and the petitioner is not an ordinary resident within the premises of the College and is residing at a distance of about 50 Km. from the College....”

Counsel for the State has filed the affidavit of the Director Bureau of Investigation, Punjab Chandigarh today in the Court, wherein upon investigation, it is found that the petitioner is not involved in sowing the opium poppy inside the boundary wall of the girls hostel of National College, Bhikhi, where he is working as a Vice Principal and in fact, there is an employee namely Shindri, had sown the opium poppy and he is absconding.

Counsel for the State, on instructions from ASI Ramphal, submits that the petitioner has joined the investigation and he is no more required for further investigation and the police is contemplating to submit the cancellation report on conclusion of the investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 18.04.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

16.08.2019

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Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No