

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

205

**C.R.M-M No.45464 of 2018
Date of Decision : 15.01.2019**

Daljinder Singh @ Jinda

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. D.S. Pheruman, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

AJAY TEWARI, J. (Oral)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.80 dated 26.11.2017 registered under Section 21 of the N.D.P.S. Act at Police Station Khem Karan, District Tarn Taran.

On the last date the following order was passed:-

“Learned counsel for the petitioner submits that 6 (six) grams of heroin was recovered from Davinder Kaur and the petitioner has been nominated in this case on the basis of statement of Davinder Kaur, wherein she has stated that she had purchased same from the petitioner. The petitioner is in fact ex-Sarpanch of the village and has been falsely implicated due to party faction.

Notice of motion for 15.01.2019.

In the meanwhile, the petitioner is directed to surrender

before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) (i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

Learned Sr. DAG on instructions from H.C. Dalwinder Singh, P.S. Khem Karan has accepted the fact that no recovery was made from the petitioner and has corroborated that no other case is pending against him.

In the circumstances, keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Petition is allowed. Interim order dated 12.10.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

January 15, 2019
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No