

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

CRM-M-22401-2019

Date of decision-01.10.2019

Baljinder Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Balbir Singh Sewak, Addl.A.G, Punjab assisted by
ASI Narinder Pal Singh.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.82 dated 14.04.2019 under Sections 15, 29, 25 and 61 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Dehlon, District Ludhiana. The petitioner apprehend his arrest at the hands of Police.

On 16.05.2019 while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the FIR is founded on a secret information which though contains the name of the petitioner but further mentions the fact that the truck No. PB-13-AW-2836 in question was being driven by Asgar Ali which was allegedly carrying poppy husk. The conductor of the truck namely Mohammad Usman was also named in the FIR. Learned counsel for the petitioner further contends that the petitioner was not present at the time of alleged recovery and has invited attention of this Court to the affidavit dated 06.03.2019 whereby the said vehicle owned by the petitioner has

been given on lease to Mohammad Aslam. The persons who were apprehended along with the truck were the employees of Mohammad Aslam. According to him, the amount of lease is being paid in the account of the petitioner by the lessee.

Notice of motion for 01.10.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel who is assisted by ASI Narinder Pal Singh apprised the Court that the petitioner has joined the investigation. Learned counsel on instructions from ASI Narinder Pal Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 16.05.2019 is made absolute.

01.10.2019

vanita

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No