

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-23649-2019 (O & M)
Date of Decision: 10.07.2019**

KALU @ KARTAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gaurav Sharma, Advocate
for the petitioner.

Ms. Sudipti Sharma, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 0557 dated 27.12.2018, under Sections 18 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner contends that the allegations in the FIR are that 2.5 Kg of opium was recovered from Amritpal Singh, who had been apprehended at the spot. There is no mention in the FIR that Amritpal Singh was being accompanied by another person. The petitioner has been subsequently arraigned on the disclosure statement of Amritpal Singh, who had stated that he had purchased opium from Jagdish and had further sold the same to the petitioner. He also contends that the petitioner is not involved in any other case under the NDPS Act.

This Court, by the order dated 23.05.2019, 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 ASI Gurbachan 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 23.05.2019 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

July 10, 2019

A.Kaundal

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