

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-25485 of 2019
Date of Decision: 26.09.2019

Sarbjit Singh @ Sethi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.108 dated 11.04.2019 registered for the offence punishable under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Model Town, District Hoshiarpur.

Heard.

Learned State counsel submits that the petitioner has joined the investigation but he is involved in seven other cases out of which three cases were registered under the NDPS Act.

Learned counsel for the petitioner submits that the petitioner was earlier involved in a case under Section 20 of the NDPS Act for possession of 210 gms. of intoxicating powder. That powder was later on found to be talcum powder and the petitioner made a complaint to Home Department, Union of India and enquiry is pending against police officials.

As a counter-blast he has been implicated in this case. The petitioner was

again implicated in a case in which he was convicted and in appeal, this Court acquitted him and imposed costs of ₹50,000/- on the Police Department.

The above fact as stated by learned counsel for the petitioner will be looked into by the investigating officer.

Without expressing any opinion on the merits of the case and keeping in view the fact that the petitioner has joined the investigation, this petition is allowed and order dated 30.05.2019 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

September 26, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No