

In the High Court of Punjab and Haryana at Chandigarh

225

CRM-M-37283-2019 (O & M)

Date of Decision: December 19, 2019

RAJ KUMAR @ RAJU

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Samrit Gill, Advocate for
Mr. Sandeep Arora, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 117 dated 20.07.2019, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Adampur, District Jalandhar.

Learned counsel for the petitioner contends that the allegations in the FIR are that two bags containing 26 kilograms each of poppy husk were recovered from two co-accused, who were arrested at the spot. It is alleged that the petitioner along with co-accused Ravi had fled away from the spot. He also contends that the petitioner is being falsely implicated at the behest of ASI Harpal Singh. He further contends that fifteen days prior to the occurrence the petitioner had been tortured by this police official and he had lodged a complaint in this regard to the higher officials. The petitioner is not involved in any other case under the NDPS Act.

This Court, by the order dated 04.10.2019, 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, upon instructions from ASI Balbir 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 the petitioner having joined investigation, the order dated 04.10.2019 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

December 19, 2019

A.Kaundal

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