

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-38739-2019 (O & M)
Date of Decision: October 18, 2019

KRISHAN SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Kunwar Rajan, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.0133 dated 13.08.2019, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station Kotbhai, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that it is alleged in the FIR that the Village De-addiction Committee had apprehended two persons with a bag and when the police party reached the spot, the petitioner is alleged to have run away from the spot. He also contends that 460 tablets of Tramadol weighing 46 grams, which is below the threshold of commercial quantity, were recovered from the bag and co-accused, namely, Jagsir Singh @ Seera was arrested from the spot. He also contends that earlier Tramadol was not covered under the NDPS Act, which has been brought out by the amendment of 26.04.2018. He further contends that the petitioner is 25 years of age and he is not involved in any other case under the NDPS Act.

This Court, by the order dated 12.09.2019, 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 Daljeet 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 12.09.2019 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

October 18, 2019

A.Kaundal

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