

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-46561-2019
Date of decision: 18.12.2019**

Narinder Singh @ Nindu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Bipan Ghai, Sr. Advocate with
Mr. Vishavjit S. Virk, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 188 dated 14.09.2019, under Sections 21/29 of the NDPS Act, 1985, registered at Police Station Kotwali, District Kapurthala.

The operative part of the order dated 21.11.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned senior counsel submits that as per the allegations in the FIR, registered at the instance of SI Jitender, he was on a patrol duty and a lady, carrying a black bag in her right hand, boarded an auto rickshaw and approached towards a white color car bearing registration No. PB-09-AB-4970. In the car, a young man was sitting, who was identified by ASI Paramjit Singh as Narinder Singh @ Nindu, the present petitioner. On seeing the police party, the lady, who got down from the said auto rickshaw, became perplexed and tried to slip away. In the meantime, the petitioner fled away from the spot.

Learned senior counsel further submits that later on, the said lady was arrested and she informed her name as Rehma, resident of New Delhi and she was found to be a foreign national. Upon this, an information was given to the police station concerned and later on, on the search of said lady, 02 kgs. of Heroin were recovered.

Learned senior counsel further argues that the petitioner is a farmer having his own agricultural land and he has no background of involvement in any case under the NDPS Act. It is further argued that it will be a trial whether the petitioner had any connection with the said lady who was arrested by the police.

Learned State counsel, on instructions from Inspector Balwinder Pal, submits that in order to ascertain the connection between the petitioner and said co-accused, the petitioner be directed to join investigation and hand over his mobile phone to the Investigating Officer.

List again on 18.12.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petitioner is directed to hand over his mobile phone to the Investigating Officer for investigation.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 21.11.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from SI Kewal Singh, has not disputed the factual position and submits that the petitioner

has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 21.11.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

18.12.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No