

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

201

**CRM-M-12430-2020
Decided on : 10.08.2020**

Gurdeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.A.S.Brar, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioner seeks anticipatory bail in the petition filed under Section 438 Cr.P.C., in case FIR No.23 lodged under Sections 18, 25 (Section 29 added later) of the NDPS Act, 1985, registered at Police Station Sadar Moga, District Moga.

On 15.05.2020, the following order was passed:

“It is submitted by the counsel for the petitioner that the case against the petitioner is concocted only because of the reason that the son of the petitioner was found by the police involved in drug trafficking. Otherwise, the petitioner has no concern with the matter. Still further it is submitted that the petitioner is not involved in any other case under NDPS Act. It is also pointed out by the counsel that even as per the allegations the alleged recovery from the son of the petitioner is of 1.250 kg opium; which is a non-commercial quantity.

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab, accepts notice on behalf of the State of Punjab and seeks time to verify the facts.

Adjourned to 07.08.2020.

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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.”

Counsel for the petitioner submits that he has joined investigation, in pursuance of the said order.

The said fact is verified from Mr.Khurana, on instructions from SI-Balwinder Singh. He further submits that the petitioner has no other case of similar nature lodged against him and the other cases which are pending are under Section 326, whereas another is an accident case.

Keeping in view the above, the present petition is disposed of and interim order dated 15.05.2020 is made absolute.

AUGUST 10, 2020
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No