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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 14811 of 2020 (O&M)
Decided on: 17.09.2020

Lovejeet Garg

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0080 dated 25.08.2019 registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station GRP Bathinda.

The operative part of the order dated 17.06.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of the co-accused. As per the case of the prosecution, police party had seized two parcels brought down from Awadh-Assam Express and on being asked, one person standing near one of the parcels, told his name as Gursem and name of the owner as Rahul and also mentioned their mobile phone numbers but during investigation, the police arrested

CASE HEARD THROUGH VIDEO CONFERENCING

Malwinder Singh and Sandeep Kumar as being the persons who had procured and were in possession of the parcels containing the contraband. Name of the petitioner figured in disclosure statement of co-accused Malwinder Singh and Sandeep Kumar as being their accomplice who used to supply the contraband to the college students. The petitioner has no relation whatsoever with the above said co-accused and was not involved in procuring of the contraband or its intended further supply. The petitioner is not involved in any other case under the NDPS Act. Rigors of Section 37(1)(b) of the NDPS Act are not applicable qua the petitioner as no recovery was made from him. The petitioner is ready to join the investigation.

Learned State counsel seeks time to file reply.

Adjourned to 14.08.2020....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 17.06.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Karamjit Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 17.06.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

17.09.2020

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No