

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

203

CRM-M-19776-2020

Decided on : 28.09.2020

Avtar Singh & another

... Petitioners

Versus

State of Punjab

... Respondent

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

Present: Mr.Jasdeep Singh, Advocate, for the petitioners.

Mr.B.S.Sewak, Addl.A.G., Punjab.

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

G.S. Sandhawalia, J. (Oral)

Petitioners seek anticipatory bail in a petition filed under Section 438 Cr.P.C. in FIR No.105 dated 01.06.2020 under Sections 15, 61, 85 of NDPS Act, registered at Police Station Sangat, District Bathinda.

Counsel for the petitioners submits that in terms of the order dated 21.07.2020, petitioners have joined investigation, which fact has been vouched for by the State Counsel, on instructions from ASI-Gurmail Singh. He further submits that petitioners' antecedents are clean and they are not involved in any other case of similar nature and are not required for further investigation.

The recovery is of 2.350 kgs of poppy husk which is well below the commercial quantity of 50 kgs and therefore, no useful purpose would be served by taking the petitioners in custody.

Keeping in view the above facts, this Court is of the opinion that custodial interrogation of the petitioners, in the facts and circumstances of the present case is not necessary. In such circumstances, this Court is of the opinion that interim order dated 21.07.2020 is liable to be confirmed. Ordered accordingly.

SEPTEMBER 28, 2020

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No