

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

CRM-M- 20217 of 2020

Date of Decision : July 24, 2020

Gulzar Singh @ Mau

..... PETITIONER(S)

VERSUS

State of Punjab

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Prateek Pandit, Advocate, for the petitioner.
Mr. Mehardeep Singh Dullat, Additional Advocate General,
Punjab.

...

Sanjay Kumar, J.

The petitioner seeks anticipatory bail in FIR No. 171 dated 23.05.2020 on the file of Police Station City Kapurthala, District Kapurthala, registered under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The police claim to have apprehended one Gurbinder Singh @ Sonu and recovered 255 grams of intoxicant from him. In his disclosure statement, Gurbinder Singh @ Sonu stated that he purchased the drug from the petitioner. That is how he came to be implicated in this case.

While so, the learned Judge, Special Court, Kapurthala, granted interim regular bail to Gurbinder Singh @ Sonu, taking into

account the fact that the report of the FSL was still awaited as to the nature of the intoxicant/drug that was seized from his possession. The learned Judge also made it clear that the bail would be subject to the FSL report and in the event the same indicated that the seizure was in relation to a commercial quantity, as prescribed under the NDPS Act, the bail order would automatically stand cancelled.

In the light of the relief granted to the named accused in the case, the petitioner would also be entitled to similar relief.

The petitioner is directed to forthwith join investigation in FIR No. 171 dated 23.05.2020. In the event of his arrest in relation to the said case, he shall be released on bail upon his furnishing a personal bond for a sum of ₹50,000/- along with two sureties for a like sum each to the satisfaction of the Arresting/Investigating Officer. He shall also abide by the conditions stipulated in Section 438(2) Cr.P.C.

This bail order is however subject to the FSL report that would be furnished in this case. If the said report indicates that a commercial quantity of the drug was seized from the co-accused, this order shall stand withdrawn and the petitioner shall thereupon surrender and seek regular bail in accordance with law.

The petition stands allowed to the extent indicated above.

July 24, 2020
Kang

(Sanjay Kumar)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No