

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30252-2019 (O&M)
Date of decision: 05.02.2020

Nand Lal

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Singhvi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.8 dated 07.01.2019 under Section 22 of NDPS Act, registered at Police Station City Sri Muktsar Sahib.

Affidavit of Deputy Superintendent of Police, HQ, Sri Muktsar Sahib filed in the Court today, is taken on record. It is stated in this affidavit that since the recovery was a chance recovery, there was no requirement for following the procedure under Section 50 of NDPS Act.

Learned State counsel, on instructions from DSP Heena Gupta as well as Investigating Officer/ASI Gurtej Singh, could not dispute that second Investigating Officer/ASI Pritam Singh was called at the spot at a stage, when the first Investigating Officer/SI Davinder Kumar, who is complainant of the case, has already effected the recovery from the petitioner-accused and the ruqa

was sent to the police station thereafter and subsequent investigation conducted by second Investigating Officer/ASI Pritam Singh was only with regard to recording of the proceedings subsequent to effecting the recovery.

Without commenting anything on merits of the case, considering the aforesaid factual position, this petition is allowed and the order dated 11.12.2019 passed by this Court, granting interim bail to the petitioner, is hereby made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

05.02.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No