

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205

CRM-M-3295-2021

DATE OF DECISION: 24.03.2021

ARSHAD ALI @ GORA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Mohd. Salim, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 179 dated 30.12.2020, under Sections 22/29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station City-1 Malerkotla, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused on the basis of secret information and the alleged recovery of 1000 intoxicant tablets of Tramadol Hydrochloride has been effected from co-accused. He also contends that the petitioner is not involved in any other case under the NDPS Act.

This Court, by the order dated 25.02.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from SI Nirmal Singh, states that the petitioner has been named in the FIR on the basis of secret information. He has joined investigation in terms of the order of this Court dated 25.02.2021.

In view of the above especially when the petitioner has been named on the basis of secret information, recovery has been effected from the co-accused and he is not involved in any other case under the NDPS Act, the order dated 25.02.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

24.03.2021

SwarnjitS

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