

207-B

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6624 of 2021
Date of Decision:06.07.2021

DAVINDER SINGH
Vs
STATE OF PUNJAB

.....Petitioner
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Atul Lakhanpal, Sr. Advocate
with Arjun Lakhanpal, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl, A.G, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.0099 dated 15.12.2020 registered under Sections 15/61/85 Police Station, Badhani Kalan, District Moga, Punjab.

Notice of motion was issued on 12.02.2021 by passing the following order:-

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.0099 dated 15.12.2020 at Police Station Badhani Kalan, District Moga, under Section 15/61/85 of the NDPS Act.

As per the FIR, the police received a secret information to the

effect that Baljit Singh, Davinder Singh, Sarbjit Kaur and their relative, namely, Chand Singh indulged in sale of poppy-husk by bringing the same from outside. The information was further to the effect that on the night earlier the accused had got huge quantity of poppy-husk in a white colour Innova car belonging to Davinder Singh and in a Verna car of Chand Singh and had kept the same in the house of Baljit Singh for selling the same. Pursuant to the aforesaid information, a raid was conducted at the house of Baljit Singh and 360 Kgs. of poppy-husk was recovered. Baljit Singh and his wife Sarbjit Kaur were apprehended at the spot.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he was never ever found anywhere near the place of occurrence and as such cannot be attributed conscious possession of the contraband, which was recovered from the house in possession of Baljit Singh.

Notice of motion for 06.07.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

(GURVINDER SINGH GILL)
JUDGE

12.02.2021

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Learned counsel for the petitioner submitted that in compliance of the order dated 12.02.2021, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from SI Dilbag Singh admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order

dated 12.02.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

06.07.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No