

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

207

CRM-M-5578-2020

Date of Decision:15.09.2021

SANDEEP SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.140 dated 23.10.2019, registered under Section 21 of the NDPS Act, 1985, at Police Station Makhu, District Ferozepur, Annexure P-1.

While granting interim protection to the petitioner, this Court passed the following order on 24.02.2020:-

“Learned counsel for the petitioner has submitted that no recovery was effected from the petitioner. He has further submitted that the recovery was effected from two persons namely Lovejeet Singh @ Love and Harchand Singh @ Bhagti, who were sitting on a motor cycle. Subsequently, they named petitioner as allegedly being the supplier. He further submitted that recovery from the said person was 120 grams of Heroin, which is non-commercial quantity.

These facts are apparent from the para two of order dated 21.01.2020 passed by the Special Court, Ferozepur.

List on 20.03.2020.

In the meanwhile, petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.”

Learned State counsel on instructions from SI Gurbachan Singh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. Upon further instructions, he submits that the petitioner is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 24.02.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

15.09.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No