

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12522-2021 (O&M)
Date of Decision:-22.7.2021

Lakha Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab,
assisted by ASI Tarsem Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.30 dated 1.3.2021 at Police Station Nihalsingh Wala, District Moga under Section 15 of Narcotic Drugs & Psychotropic Substances Act, 1985.
2. At the time of issuance of notice of motion on 18.3.2021, the following order was passed :

“The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.30 dated 01.03.2021 at Police Station Nihalsingh Wala, District Moga, under Section 15 of the NDPS Act.

It is the case of the prosecution that a secret information was received to the effect that the petitioner was cultivating crop of poppy on unmetalled

passage leading to his agricultural land. Pursuant to receipt of such information, a raid was conducted at the disclosed place from where poppy plants were recovered and which upon weighment were found to be 45 Kgs.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and was never found near the place of the alleged recovery, which is in fact a passage and not a land in exclusive possession of the petitioner.

Notice of motion for 22.07.2021.

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.”

3. Learned State counsel, upon instructions from ASI Tarsem Singh, has informed that pursuant to interim directions issued by this Court the petitioner has since joined investigation and is not required for any custodial interrogation and is not a previous convict.
4. In view of the aforestated position, the present petition is accepted and the interim directions issued by this Court vide order dated 18.3.2021 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

22.7.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No