

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

**CRM-M-18978-2021
Date of decision: 24.08.2021**

Kuldeep Singh @ Bittu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ankit Kumar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0021 dated 02.03.2021 under Sections 15 and 29/61/85 of the NDPS Act registered at Police Station City Dhuri, District Sangrur, Punjab.

The operative part of the order dated 18.05.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Prayer is for grant of anticipatory bail in case FIR No.21 dated 02.03.2021 under Sections 15, 29/61/85 of the NDPS Act registered at Police Station City Dhuri, District Sangrur.

FIR was registered on the basis of a secret information that the petitioner had indulged in the sale of poppy husk. Based on the said information, raid was conducted and 35 Kg of poppy husk was recovered from Kuldeep Singh @ Ghudda son of Jeet Singh son of Sucha Singh.

Learned counsel for the petitioner contends that the recovery has already been effected. The petitioner is no where concerned with the said recovery and that he has clean antecedents. No criminal case has ever been registered against the petitioner either under NDPS Act or under the provisions of Indian Penal Code. The recovery

is of non-commercial quantity and that the petitioner is ready and willing to cooperate with the investigation.

Notice of motion for 24.08.2021.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 18.05.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Ranjit Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 18.05.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

24.08.2021
Chetan Thakur

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No