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

CRM-M-32554-2021

Date of Decision: 24.08.2021

Mukesh Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Parvesh Sachdeva, Advocate,
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab,
assisted by ASI Balkar Singh.

SUDIP AHLUWALIA, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure by the petitioner, seeking anticipatory bail in case FIR No.99 dated 15.06.2021, under Sections 21, 25, 29, 61 and 85 of the NDPS Act, registered at Police Station City Fazilka, District Fazilka.

2. The petitioner was not named in the FIR. His complicity has transpired from the disclosure statement of the co-accused Prince, from whom contraband in the form of *Heroin* weighing 252 grams, which is just marginally above the commercial quantity, was recovered.

3. In view of the fact that no direct recovery has been effected from the petitioner in the present case, his custodial interrogation would not appear to be called for at this stage.

4. In the circumstances, the petitioner's prayer for anticipatory bail is

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

5. Disposed off.

24.08.2021

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No