

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

CRM-M-32889 of 2021 (O&M)

Date of Decision: 27.08.2021

Anshul Goyal @ Anshul

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Guninder Singh Brar, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail in case FIR No.132 dated 13.06.2020 under Sections 21,25 & 27 of NDPS Act registered at Police Station Canal Colony, District Bathinda.

As per allegations, on 13.06.2020, police party spotted Mandeep Singh, Vishal and Anshul (petitioner). Mandeep Singh was seen carrying polythene bag containing certain contraband on the bonnet of Vista car whereas co-accused Vishal and Anshul (petitioner) were found standing near the car. Polythene bag was found to contain 25 grams of heroine. It was taken into police possession.

The petitioner and co-accused were arrested. A dope test of Vishal and the present petitioner was got conducted, pursuant to which both were found to have consumed narcotic substance. Consequently, they were released on personal bonds by the S.I/Officer Incharge. After completion of the investigation, challan against the petitioner and co-accused Vishal was presented under Section 27 of the NDPS Act. Petitioner and co-accused

were summoned. The petitioner filed petition for grant of anticipatory bail, which has been dismissed by the learned Special Court, Bathinda. The petitioner, thereafter filed an application under Section 441 Cr.P.C praying for accepting his bail bonds, which has also been dismissed.

Learned counsel for the petitioner submits that the petitioner was only consuming the contraband. He was not found in possession of contraband. Case is now listed before the learned trial Court for appearance of the petitioner on 24.09.2021. He undertakes that the petitioner is ready and willing to face the trial and shall appear before the learned trial Court on any date to be fixed by this Court.

Notice of motion.

Mr. Sarabjit Singh, AAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before the date fixed. On his doing so, he shall be enlarged on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking before the concerned Court to continue appearing as and when required apart from following all the terms and conditions fixed in this respect.

August 27, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No