

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-34836-2020 (O & M)
Date of Decision: November 22, 2021

JAGTAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Sukhwinder Singh Kainth, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.270 dated 10.09.2020, under Sections 15, 18 and 25 of the NDPS Act, 1985, registered at Police Station Sirhind, District Fatehgarh Sahib.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and he has been arraigned as an accused as the recovery of 200 kgs of poppy husk and 150 grams of opium was effected from a truck owned by him. He also contends that the vehicle was driven by Jasveer Singh @ Jassa, who was employed as a driver by the petitioner. The other co-accused namely Gulbag Singh @ Dulla and Ravinder Singh, who were arrested along with the driver, were not employees of the petitioner. He further contends that the truck had been sent by the petitioner for transporting wheat bags and there is no prima facie material which would connect the petitioner with the commission of offence.

Learned State counsel contends that the petitioner was arraigned as an accused on the statement of co-accused. He also contends that the petitioner earlier had been convicted in one case involving offences under the NDPS Act and Excise Act.

Learned counsel for the petitioner, however, contends that the FIR was lodged in the year 2011 for possession of non-commercial quantity of poppy husk. Thereafter the petitioner was not involved in any other case.

This Court, by the order dated 02.03.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Balwinder Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 02.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 22, 2021
A.Kaundal

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