

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

**CRM-M-41008-2020
Date of decision: 17.03.2021**

Rohit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Abhay Kumar Sharma, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to petitioner in FIR No. 328 dated 30.10.2020, registered under Section 21(b) of the NDPS Act, 1985 at Police Station Phillaur, District Jalandhar.

The operative part of the order dated 08.12.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“A perusal of the paperbook shows that as per the allegations in the FIR, the police party stopped a car, in which two persons were coming. The driver disclosed his name as 'Manjot Singh @ Jot', whereas the another person ran away from the spot and from the dashboard of the car, 30 grams of Heroin were recovered. Thereafter, on the disclosure of the aforesaid accused, the name of the petitioner surfaced in the case.

A perusal of the paperbook further shows that there is no other case against the petitioner under the NDPS Act.

Notice of motion for 17.03.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 08.12.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Ajwinder 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 08.12.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

17.03.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No