

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

**CRM-M-2309-2022
Date of decision: 09.05.2022**

Avtar Singh @ Tarri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. P. S. Sekhon, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.121 dated 20.12.2021 registered under Sections 15 and 29 of the NDPS Act, at Police Station Sandaur, District Malerkotla.

The operative part of the order dated 20.01.2022, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has argued that as per the allegations in the FIR, the police party stopped Tempo bearing registration No.PB10-CG-0415, and recovered 120 Kgs of Poppy Husk in 06 plastic bags by arresting the co-accused Jagtar Singh. It is further submitted that on the disclosure statement of Jagtar Singh, the petitioner was nominated in the case under Section 29 of the NDPS Act.

Counsel for the petitioner, on a Court query, has also submitted that the petitioner was not the owner of the aforesaid Tempo and was not present at the spot and has no criminal antecedents.

Notice of motion.”

Learned counsel for the petitioner submits that the petitioner, in

pursuance to the order dated 20.01.2022, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Gurmeet 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 20.01.2022, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

09.05.2022
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No