

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-9097-2022

Date of decision : 27.7.2022

Gurdit Singh @ Geetu

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ruhani Chadha, Advocate,
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.127 dated 27.12.2021 registered under Sections 15 and 29 of NDPS Act at Police Station Talwandi Chaudrian, District Kapurthala.

Reply filed by way of affidavit of Dr. Manpreet Shinhmar, DSP, Sub Division (Sultanpur Lodhi), Kapurthala along with Annexure R-1/T filed on behalf of respondent-State is ordered to taken on record.

Counsel for the petitioner submitted that the petitioner has joined the investigation in compliance of order dated 29.3.2022 passed by this Court. State counsel on instructions from HC Jaskaran Singh has not been refuted the aforesaid assertions made by the counsel for the petitioner and further submits that the petitioner is not required by the police for further investigation or custodial interrogation and the police is going to

present the challan against the petitioner in the near future.

In the instant case, the petitioner was named as accused only on the ground that he was owner of the truck from which the contraband was recovered. However, during the investigation, it was found that the aforesaid truck was taken on lease by the petitioner from the original owner Sukhdev Singh. However, during further investigation, it transpired that the aforesaid lease was in the name of one lady and not in the name of the petitioner. Recovery in the present case has already been effected. It is a matter of evidence as to whether the petitioner was having any connection with the truck in question bearing Registration No.PB06-G-6777.

In the given circumstances despite the fact that there is embargo provided under Section 37 of NDPS Act regarding grant of bail in cases involving commercial quantity of contraband, the present petition is allowed and order of interim bail dated 29.3.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

July 27, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No