

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10651-2022 (O&M)
Date of decision: 02.05.2022

Karma

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Prince Pushpinder Rana, Advocate for
Mr. J.K. Singla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.59 dated 14.02.2022 under Sections 20 & 29 of NDPS Act and Section 61 of Punjab Excise Act, registered at Police Station City Budhlada, District Mansa.

While granting interim bail to the petitioner, following order was passed by this Court on 14.03.2022: -

“...Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of ASI Gurmail

Singh, a secret information was received that the co-accused Akash Sarsar is indulged in selling illicit liquor and ganja and if a raid is conducted, he can be apprehended. Thereafter, when the raid was conducted 05 Kgs of Ganja (which falls in the non-commercial quantity) and 120 bottles of illicit liquor were recovered.

Counsel for the petitioner has further submitted that the petitioner was nominated in the disclosure statement of Akash Sarsar and he was neither present at the spot nor any recovery is effected from him.

Notice of motion.

*Mr. Joginder Pal Ratra, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State and, on instructions from ASI Sewa Singh has argued that the petitioner is involved in 03 more cases under the Excise Act, however, he is not involved in any other case under the NDPS Act. Counsel for the State has relied upon the judgment of Hon’ble Supreme Court in **“Tofan Singh vs State of Tamil Nadu”, 2021(4) SCC 1...**”*

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from ASI Nachhattar Singh, has not disputed the factual position and states that the petitioner is no more

required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 14.03.2022 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

02.05.2022
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No