

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

210

**CRM-M-12464-2022
Date of Decision:-24.11.2022**

Mandeep Singh @ Monu @ Mannu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM:HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Joginder Pal Devgan, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

The present petition has been filed by the petitioner seeking grant of anticipatory bail in case having FIR No.25 dated 04.03.2022 under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Patti, District Tarn Taran.

As per the police record, secret information was received and then the premises of the petitioner was raided, on which 8 kg of poppy plants were found growing there and the same were uprooted and taken into possession of the police.

The counsel for the petitioner submits that the petitioner has joined the investigation in pursuance of the order of interim order dated 25.03.2022 passed by this Court.

The State counsel on instructions from ASI Ranjit Singh has not refuted the aforesaid assertions made by the counsel for the petitioner. The State counsel further apprised this Court that now the petitioner is not required by the police for further investigation.

The present case is relating to the recovery of poppy plants which were cultivated by the petitioner in his premises, the same comes under the ambit of Section 18(c) of NDPS Act, as per Schedule annexed to the said Act and thus, embargo provided under Section 37 NDPS Act is not attracted to the instant case.

Admittedly, the recovery has already effected in the present case and the petitioner who has joined the investigation is not required by the police for further investigation and further the petitioner is not involved in other case under NDPS Act.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 25.03.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

However, the observations made herein above are not to be construed as opinion on the merits of the case.

24.11.2022
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(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No