

209-A

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

CRM-M-27700-2022

Date of decision : 06.09.2022

NISHAN SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. G.N. Malik, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.71 dated 27.05.2022 registered under Section 21 of NDPS Act, 1985 (Sections 61, 85 of NDPS Act added later on) at Police Station Sadar Jagraon, District Ludhiana Rural.

On 05.07.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 71 dated 27.5.2022 registered under Section 21 of NDPS Act, 1985 (Sections 61, 85 of NDPS Act added later on) at Police Station Sadar Jagraon, District Ludhiana Rural.

FIR was registered on the complaint of one Sukhdeep Singh alias Sukha who stated that he is a social worker and is a resident of village Galib Kalan, Tehsil Jagraon. He stated that a large

number of young persons of his village have addicted to drugs. He further stated that Gurtej Singh alias Raja, Mukhtiar Kaur alias Piara, Tarlochan Singh alias Tochi, Charanjit Kaur (petitioner), Nishan, Manjit Singh, Sukhdev Singh alias Kaka Kohri, Swaran Singh and Gurcharan Singh alias Giani are in the habit of selling intoxicant powder and heroin to the young persons in the village leading to their becoming drug addicts.

Learned counsel for petitioner states that no recovery of any contraband has been effected from petitioner. The petitioner has clean antecedents. She is ready and willing to join investigation and cooperate in same.

Notice of motion for 6.9.2022.

In the meanwhile, in the event of arrest of petitioner, she shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. She will join investigation as and when called for and cooperate in same. She will abide by conditions of Section 438 (2) Cr.P.C.

(HARINDER SINGH SIDHU)
JUDGE

5.7.2022
sjks”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Gurdeep Singh has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances more so, the facts which have been noticed in the order dated 05.07.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 05.07.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently

of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

September 06, 2022
Amandeep

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