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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.29064 of 2022 (O&M)
Decided on: 31.10.2022

Mangat Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. S.S. Goripuria, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this 2nd petition is for grant of anticipatory bail to the petitioner in FIR No.94 dated 05.08.2021 registered under Sections 15 and 29 of the NDPS Act, at Police Station Sadar Moga, District Moga.

The operative part of the order dated 11.07.2022, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“....Counsel for the petitioner has argued that as per the allegations in the FIR, ASI Balwinder Singh received a secret information that the petitioner and his wife Charanjit Kaur are coming in a white colour car, along with 02 other persons, are carrying poppy husk. On receiving the information, a barrier was laid and on seeing the police party, the driver of Xylo vehicle pushed the vehicle towards the Peddy crop and ran away from the spot. On search, 16 bags of poppy head, each containing 20 kgs of poppy husk i.e. total 320 Kgs of poppy husk, was recovered from the said vehicle. It is further submitted that Charanjit Kaur was arrested from the spot. It is also

argued that the petitioner is not facing any other trial under the NDPS Act and in fact, the petitioner has been nominated in the case in a calculated manner as the entire village Panchayat has given a certificate that the petitioner Mangat Singh and his wife Charanjit Kaur are not residing together in the village of the petitioner as Charanjit Kaur is having extra-marital affair with some other person. Lastly, it is submitted that Charanjit Kaur left the matrimonial home leaving behind the 03 minor daughters, who are living in the care and custody of the petitioner and therefore, Charanjit Kaur has wrongly nominated the petitioner in her disclosure statement as a person, who was the occupant of the aforesaid car whereas the petitioner was not there.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 11.07.2022, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Jaswinder Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 11.07.2022 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

31.10.2022
yakub

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