

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-35497-2022
Date of decision : 29.09.2022

Raminder Singh @ Ramwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms.Shaweta Sharma, Advocate for
Ms.G.S.Nahel, 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.167 dated 19.11.2021 registered under Sections 22, 27, 29 of the Narcotic Drugs and Psychotropic Substances, Act, 1985 at Police Station Bareta, District Mansa.

On 18.08.2022, this Court was pleased to pass the following order:-

“Inter alia contends that neither the petitioner was named in the FIR nor any recovery has been effected from him and the recovery has been effected from one Amarjit Singh who has implicated the present petitioner in his disclosure statement. It is further submitted that even as per the disclosure statement of said Amarjit Singh, it was not the petitioner who was the seller of the intoxicant tablets but it had been alleged that some of the tablets had to be sold to the present petitioner.

Notice of motion for 29.09.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal

bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

18.08.2022

**(VIKAS BAHL)
JUDGE”**

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 of ASI Darshan Singh, has submitted that the petitioner has joined investigation and is not required for further investigation.

It would be relevant to note that in the present case, even as per the stand of the State, the petitioner was neither seller of the intoxicant tablets, nor any intoxicant tablets have been sold to the petitioner but they were to be sold to the petitioner and actually no sale had taken place.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 18.08.2022, 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 18.08.2022 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 29, 2022

Davinder Kumar