

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

208

CRM-M-37246-2022  
Date of Decision:-**08.12.2022**

Bira Ram

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present:- Ms. Harpreet Kaur Arora, Advocate  
for the petitioner.

Mr. C.L. Pawar, Addl., A.G. Punjab.

**KARAMJIT SINGH, J.** (Oral)

The present petition has been filed by the petitioner seeking grant of anticipatory bail in case having FIR No.68 dated 09.07.2022 registered under Section 15 NDPS Act at Police Station Payal, District Khanna, Ludhiana.

As per the allegations appearing on the record, court the police recovered 14.5 Kgs of poppy seeds from co-accused Sumitra Rani on 09.07.2022 and the name of the petitioner surfaced on the basis of the disclosure made by the said Sumitra Rani.

Learned counsel for the petitioner submits that the petitioner has joined the investigation with the police in pursuance to the previous order of interim bail dated 23.08.2022.

The State counsel on instructions from ASI Sikander Raj has not refuted the aforesaid assertions made by the counsel for the petitioner and stated that the petitioner is not required by the police for any further investigation.

It is a moot point as to whether the aforesaid poppy seeds recovered from the possession of co-accused come under the provisions of NDPS Act. Further, it appears that rigors of Section 37 NDPS Act are not attracted to the present case.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 23.08.2022 is hereby made absolute. However, the petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

**(KARAMJIT SINGH)**  
**JUDGE**

**08.12.2022**

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