

204 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22202 of 2021(O&M)

Date of Decision: 08.02.2023

Gurjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. S.S. Sarwara, Advocate
For the petitioner.**

Mr. C.L. Pawar, Addl. AG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 21 dated 20.05.2021, registered under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act at Police Station Jaurkian, District Mansa.

Additional reply by way of affidavit of Manjeet Singh, Deputy Superintendent of Police, Sub Division Sardulgarh, District Mansa, filed on behalf of State is taken on record along with report of FSL (Annexure R-1).

Counsel for the petitioner submits that in compliance of the order of interim bail dated 16.06.2021 passed by the Co-ordinate Bench of this Court, the petitioner has joined the investigation with the police and further the police has presented the challan on the conclusion of investigation.

The State counsel on instructions from ASI Raj Kumar has not refuted the aforesaid assertions made by the counsel for the petitioner. The

State counsel apprised the Court that after completion of investigation now the police has presented the challan against the present petitioner who is having no criminal history. The State counsel has further submitted that in the present case the recovery already stands effected from co-accused Kiran Kaur.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 16.06.2021 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. However, it is made clear that this order is not to be treated as precedent and has been passed on the basis of the facts and circumstances of the present case only.

08.02.2023
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No