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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****CRM-M-23059 of 2023****Date of decision: 25.07.2023**

Mantar Singh @ Gopi

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Amandeep Singh Saini, Advocate,  
for the petitioner.

Mr. Harsimran Singh Sitta, DAG, Punjab.

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**MANJARI NEHRU KAUL, J.**

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.157, dated 23.07.2022 (Annexure P-1) under Sections 27 & 29 of NDPS Act, 1959, registered at Police Station Bagha Purana, District Moga.

Vide order dated 08.05.2023, petitioner was granted the concession of interim bail in the following terms :-

*“Learned counsel for the petitioner contends that the quantity of the contraband has not been mentioned in the FIR and even till date it is not measured as to how much heroin was recovered from the possession of the petitioner alongwith other co-accused persons, who are total 7.”*

Learned counsel for the petitioner states that pursuant to order dated 08.05.2023, passed by this Court, the petitioner has joined the investigation and cooperated with the Investigating Agency.

Learned State counsel, on instructions from ASI Kashmir Singh, has not disputed the submissions made by learned counsel opposite. He has further, on instructions, submits that the petitioner was nominated as accused on the basis of a disclosure statement allegedly suffered by co-accused, who were apprehended with some aluminum foil which had some traces of heroin. On a pointed query put to the learned State counsel qua the criminal antecedents of the petitioner, he has, on instructions, informed the Court that the petitioner is not involved in any other case under the NDPS Act and he is no longer required for further interrogation.

In view of the above, the petition is allowed and interim order dated 08.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

**25.07.2023***Satyawan***(MANJARI NEHRU KAUL)  
JUDGE*****Whether speaking/reasoned: Yes/No******Whether Reportable: Yes/No***