

2023:PHHC:139188

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

(212)

CRM-M-31435-2023

Date of Decision: 31.10.2023

BHAG SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Talwinder Singh, Advocate for the petitioner.

Mr.Dhruv Dayal, AAG, Punjab for the respondent-State.

RITU TAGORE, J (ORAL)

The present petition was filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.115, dated 08.06.2023 under Sections 15 (section 29 of NDPS Act added later on) of NDPS Act of 1985, registered at Police Station Dharmkot, District Moga.

Counsel for the petitioner submits that pursuant to the interim protection granted vide order dated 03.07.2023, the petitioner has joined the investigation.

Learned counsel appearing for the State of Punjab on instructions from Head Constable Kulwant Singh submits that the name of the petitioner has been nominated on the basis of the disclosure statement of co-accused from whom a recovery of 45 kgs. of poppy husk was made, which do not fall in the category of commercial quantity under the NDPS Act. Learned State counsel has not disputed the fact regarding petitioner's joining the investigation. He further submits that further custodial interrogation of the petitioner is not required in the case.

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In view of the above, this petition is allowed and the interim order dated 03.07.2023 is hereby made absolute, subject to the conditions as provided under Section 438 (2) Cr.P.C.

(RITU TAGORE)
JUDGE

October 31st 2023
raman

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