

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-38773-2022 (O&M)

Date of decision : 27.3.2023

Janak Singh @ Bikka

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rishu Mahajan, Advocate,
for the petitioner.

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

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.82 dated 17.5.2022 registered under Sections 21, 29 of NDPS Act at Police Station Gharinda, District Amritsar.

The allegations in brief are that the police arrested co-accused Gurwinder Singh and recovered 5 grams of Heroin, ₹ 30,000/-, one Swift car and one mobile phone from him on 13.7.2022 and the petitioner is nominated as accused on the basis of the disclosure statement made by said Gurwinder Singh.

Counsel for the petitioner submits that the petitioner has joined the investigation in light of previous order of interim bail and further submits that the petitioner is not having any criminal history.

State counsel on instructions from ASI Jasbir Singh apprised the Court that indeed, the petitioner has joined the investigation with the

police in the present case which is relating to recovery of non-commercial quantity of contraband from co-accused Gurwinder Singh. He further submits that the petitioner who is having no criminal antecedents, is not required by the police for further investigation or custodial interrogation.

Present case being relating to recovery of non-commercial quantity of contraband, is not covered under the rigors of Section 37 of NDPS Act and further, the petitioner is not required by the police for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 5.9.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

March 27, 2023
Paritosh Kumar

(KARAMJIT SINGH)
JUDGE

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