

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

208

2023:PHHC:161188

CRM-M-43759-2023

Date of decision: December 15th, 2023

Sarbjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Monty Goyal, Advocate
for Mr. Pardhuman Garg, Advocate
for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.199 dated 11.08.2023 under Section 18 of the NDPS Act registered at Police Station Sahnewal, District Police Commissionerate, Ludhiana.

While issuing notice of motion on 02.09.2023, following contentions of learned counsel for the petitioner were recorded:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner was neither the consignee nor was to be the recipient of the parcel which contained 250 grams of opium packed in a bournvita bottle. He further submits that some person had seemingly misused his Aadhaar Card and attempted to courier a parcel to one Balwinder Singh Multani, who was a resident of U.S.A. It has also been submitted that the petitioner is not even acquainted with said Balwinder Singh Multani much less related to him.”

Thereafter, vide order dated 14.09.2023, the petitioner had

been granted interim anticipatory bail with direction to join investigation.

Learned counsel for the petitioner submits that in compliance of order dated 14.09.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Ram Murti, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 14.09.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

December 15th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No