

CRM-M-56252-2022

Date of decision : 24.5.2023

Deepak Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gagandeep Singh, Advocate for
Mr. Ishan Gupta, Advocate
for the petitioner.

Mr. Kunal Muthreja, AAG Punjab.

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HARNARESH SINGH GILL, J.

Through the instant second petition, the petitioner seeks anticipatory bail in case bearing FIR No. 248 dated 13.11.2021 registered under Section 22 of NDPS Act and Sections 25 and 31 A of NDPS Act (added later on) at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner submits that the petitioner was granted anticipatory bail by a Coordinate Bench of this Court on 28.2.2022 which was confirmed on 29.7.2022 by this Court and that Section 25 of NDPS Act was added later and thus, present petition seeking anticipatory bail in the said Section as well.

Notice was issued and directions were issued that no coercive action be taken against the petitioner.

Learned State counsel states that while presenting the challan under Section 22 of NDPS Act, Sections 25 and 31 A of NDPS

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Act were added.

I have heard learned counsel for the parties.

The petitioner was granted anticipatory bail by a Coordinate Bench of this Court on 28.2.2022 which was confirmed on 29.7.2022. It was at later stage when the challan was presented under Section 22 of NDPS Act and Sections 25 and 31 A of NDPS Act were added.

In view of above, without commenting on the merits of the case, present petition is allowed and the order dated 15.12.2022 granting interim bail is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C. However, liberty is granted that if at any stage, the State feels that the petitioner misused the anticipatory bail, the application can be moved for cancellation of the same.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

24.5.2023
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No