

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-58413-2022 (O&M)

Date of decision : 27.1.2023

Nasheel Kumar @ Sunil Kumar

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Abhinav Singh, Advocate, for
Mr. Sarju Puri, Advocate,
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.42 dated 11.9.2022 registered under Sections 21 and 29 of NDPS Act at Police Station Pojewal, District SBS Nagar.

As per allegations appearing on record, the police arrested co-accused Ramandeep Singh and recovered 8 grams of Heroin from him on 11.9.2022 and thereafter, said co-accused disclosed to the police that he procured the aforesaid contraband from the petitioner and one another Pallo.

On the last date of hearing, detailed order was passed and the petitioner was granted interim bail and he was directed to join investigation with the police.

Counsel for the petitioner submits that the petitioner joined the investigation with the police in compliance of previous order. State counsel

on instructions from ASI Surinder Pal submits that indeed, the petitioner joined the investigation and is not required by the police for further investigation or custodial interrogation.

Present case being relating to recovery of 8 grams of Heroin comes under non-commercial quantity and as such, is not covered by rigors of Section 37 of NDPS Act and further, the petitioner is not required by the police for further investigation or custodial interrogation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 21.12.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

January 27, 2023
Paritosh Kumar

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