

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

**CRM-M-58475-2022 (O&M)
Date of decision : 09.08.2023**

Ranjit Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.200 dated 21.11.2022, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Patti, District Tarn Taran.

(2) Allegations are that petitioner was found in possession of 697 intoxicant tablets (Tramadol & Alprazolam) without any license.

(3) The Coordinate Bench, vide order dated 15.12.2022, granted interim bail to petitioner and the same reads as under:-

“Learned counsel for the petitioner submits that the petitioner is a licenced chemist and on 07.03.2022, the District Drug Control Officer had inspected the medical store of the petitioner and recovered 697 intoxicant tablets.

Learned counsel further submits that the FIR was registered after about 08 months on 21.11.2022; the petitioner is not involved in any other case and it will be a matter of trial whether he had a valid licence to keep the tablets recovered from him.

Notice of motion 11.05.2023.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

(4) Learned counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Lakhminder, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 15.12.2022 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

(9) Disposed off accordingly.

August 9th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No