

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17728-2024

AMAN SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

Present: Mr. P.S. Sekhon, Advocate
for the petitioner.

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.25, dated 12.02.2024 (Annexure P-1), under Sections 20 and 29 of NDPS Act, 1985, registered at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner contends that the alleged contraband i.e. 800 grams of Sulpha has been recovered from the possession of co-accused Sachin Kumar, which is non-commercial in quantity. He categorically submits that no recovery whatsoever has been effected from the possession of the petitioner.

Mr. Sekhon, learned counsel for the petitioner has also referred to policy framed by the Director General of Police, Punjab and approved by the State Government vide Memo No.7/395/14-2H3/1747 dated 27.04.2015 and circulated vide order No.5606-50/CR-LA-1, dated 04.05.2015 alleging the contravention of said policy, wherein the police party was traveling on a private vehicle but the registration number of the said private vehicle or the details regarding its ownership have not been mentioned anywhere in the police proceedings.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State and seeks time to get necessary instructions.

In the meantime, the petitioner is directed to be released on interim bail subject to his joining investigation and reporting to the

Investigating Officer concerned within one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, during the course of submissions, Mr. Sekhon, has pointed out that large number of cannabis plants are growing in the open area near the Secretariat round-about and particularly in Rajendra Park. Many visitors/passerbys or may be even the residents of the city are indulged in misusing the wild growth to their undue advantage and illegal use. The issue raised is quite serious and this Court would take note of the same, hence calls upon Mr. Amit Jhanji, Senior Standing counsel for U.T., Chandigarh to apprise the Court with regard to the said issue as has been pointed out before this Court. If at all it is happening in the Chandigarh city then it is a matter of grave concern wherein narcotic drugs are playing havoc in the life of not only the common man but in particular the young generation as a termite, who is future of this country. Therefore, needs to be addressed.

Accordingly, the Registrar (Judicial) is directed to serve a copy of this order to the learned Senior Standing counsel for U.T., Chandigarh i.e. Mr. Amit Jhanji for the next date of hearing.

Adjourned to 26.04.2024.

10.04.2024

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE