

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2015.01.29 15:25
I attest to the accuracy and
authenticity of this document

CRM No. M-147 of 2015 (O/M)
Date of decision : 27.1.2015

Inder Singh @ Inder

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Parminder Singh Sekhon, Advocate, for the petitioner.

Mr. Nikhil K. Chopra, Deputy A.G. Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Police file received.

Petitioner seeks anticipatory bail in FIR No. 161 dated 16.10.2014, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, (in short 'the Act') at Police Station Cantt. Ferozepur, District Ferozepur.

The allegations are that on 16.10.2014, around 5:00 AM, 3 persons were seen coming by the police party, out of which two ran away. However, one person, namely, Chamkaur Singh @ Gora was apprehended. He disclosed the names of his co-accused as Inderjit Singh @ Inder and Billu @ Babbu. The search of the bag carried by the accused Chamkaur Singh was carried out, which yielded the recovery of 1 kg. Heroine.

Learned counsel for the petitioner has contended that the petitioner was not apprehended at the spot. His identification is sought to be established on the statement of co-accused. He has got no previous history. Therefore, he should be allowed anticipatory bail.

The bail has been seriously opposed by the State on the ground that during investigation it came out that the present petitioner was procuring the Heroine from Jammu and Kashmir and that the recovery in this case is commercial.

After going through the file, I am of the view that the name of the petitioner appears in the FIR registered immediately after the recovery. The police is yet to verify all the acts. It also wants to verify that the petitioner was procuring the Heroine from Jammu and Kashmir. The recovery is commercial. Therefore, I do not find any ground to grant the anticipatory bail to the petitioner.

Dismissed.

(KULDIP SINGH)
JUDGE

27.1.2015
sjks