

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-17668 of 2015 (O&M)
Date of Decision: 02.07.2015

Manjit Singh @ Meeta

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ashok Giri, Advocate for the petitioner.

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

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 438 Cr.P.C seeking the concession of anticipatory bail to the petitioner in case F.I.R. No. 166 dated 5.10.2013 under Sections 15, 61, 85 of N.D.P.S Act registered at Police Station, Ladhawal, District Ludhiana.

Case of the prosecution is that a raid was conducted on the basis of a secret information and a recovery of 14 bags of poppy husk containing 40 kgs each was made from the co-accused. Present petitioner has been sought to be implicated on the statement of co-accused.

Counsel appearing for the petitioner would vehemently argue that no recovery was effected from the present petitioner and neither was he present on the spot. That apart, heavy reliance has been placed upon a judgement of this Court rendered in case of ***Joga Singh Vs. State of Punjab, 2006 (3) R.C.R (Criminal), 480*** to argue that the statement of co-accused would be *per se* inadmissible in evidence.

Learned State counsel would oppose the prayer made in the present petition by submitting that heavy recovery was effected in the case and co-accused has since been convicted. It has further been submitted that

the present petitioner has already been declared a Proclaimed Offender.

Having heard learned counsel for the parties at length, this Court is of the considered view that the petitioner is not entitled to the concession of anticipatory bail. Such view is being taken in the light of the conduct of the petitioner. Concededly, he has evaded the process of law and was declared a Proclaimed Offender. It has gone uncontroverted that the P.O proceedings have never been put to challenge.

Under such circumstances, this Court is not inclined to grant any indulgence in favour of the petitioner.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

02.07.2015

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