

**In the High Court of Punjab and Haryana at Chandigarh**

Crl. Misc. M No. 24430 of 2015

**Date of Decision:** 18.09.2015

Kuldeepak Yogi

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE SABINA**

Present: Mr.J.S.Bedi, Senior Advocate with  
Mr.H.S.Multani, Advocate for the petitioner  
Mr.R.P.S.Sidhu, Assistant Advocate General, Punjab

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**SABINA, J.**

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No. 47 dated 22.7.2014 under Sections 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 read with Sections 467, 468, 471 of the Indian Penal Code, 1860 registered at Police Station Sanaur, District Patiala.

Prosecution story, in brief, is that, on the basis of secret information, vehicle of the petitioner and his co-accused was apprehended. The occupant of the Car fled away from the spot. On search of the Car, a plastic bag containing different kinds of medicines, i.e., 14 strips of toxyban, 10 capsules each strip, 29 small

containers of deriphyllin tablet - 250 tablets each and one small container having 230 tablets and 9 packets of Denorma- 500 tablets each and in one packet - 480 tablets and 580 small size tablets in a polythene bag and 40 packets containing 500 tablets each and 1 packet containing 480 white tablets tablets and 18 white packets containing 1000 tablets each and one packet containing 980 tablets .

Learned senior counsel for the petitioner has submitted that the petitioner was a medical practitioner and has been falsely involved in this case. In fact, petitioner had been illegally detained by the Police. In this regard, wife of the petitioner sought exemption of the petitioner from his personal appearance in a complaint registered against him under the Drugs and Cosmetics Act, 1940 ('the Act' for short) on 24.7.2014.

Learned State counsel, on the other hand, has opposed the petition and has submitted that a huge quantity of contraband was recovered from the vehicle in question. Petitioner is required for custodial interrogation.

In the present case, FIR in question was registered on 22.7.2014. As per the prosecution case, petitioner had run away from the spot and from the vehicle used by the petitioner and his co-accused, a huge quantity of the contraband was recovered. It appears that with a view to create evidence, wife of the petitioner moved an application on 24.7.2014 seeking exemption of the petitioner in a case registered against him under the Act alleging that the petitioner had been illegally detained by the police.

In the present case, the allegations levelled against the

petitioner are serious in nature, Petitioner is required for custodial interrogation. Keeping in view the seriousness of the allegations levelled against the petitioner, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

**(SABINA)  
JUDGE**

**September 18,2015**  
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