

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-25020 of 2015
Date of Decision : 31.7.2015

Swaranjit Singh @ Monu

.....Petitioner

Vs.

State of Punjab

.....Respondent

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CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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Present : Mr. J.B.S. Gill, Advocate for the petitioner.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Petitioner seeks pre-arrest bail in FIR No.63 dated 28.5.2015 under Sections 21/61/85 of NDPS Act, registered at Police Station City, Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. No contraband was in the possession of the petitioner. Had the allegations been true, petitioner would never throw the contraband at the site, while running away from the police. He further submits that the story put forth in the FIR is highly improbable and does not appeal to reason. Petitioner has been falsely implicated because some altercation took place between the petitioner and the Investigating Officer. He prays for allowing the present petition.

Having heard the learned counsel for the petitioner at

considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of anticipatory bail. It is so said, because allegations are direct and serious. It is too early to comment, whether the petitioner was actually involved or not. So far as the alleged motive pointed out by the learned counsel for the petitioner for false implication is concerned, no date, month or time has been pointed out in the petition nor it is known to the learned counsel for the petitioner. Having said that, this court feels no hesitation to conclude that the averments taken in the petition seems to have been taken only for the sake of making out a case for alleged enmity.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, this court is of the considered view that in the circumstances of the case, custodial interrogation of the petitioner will be a compulsive necessity of the Investigating Agency, so as to conduct an effective investigation. No case for interference is made out.

Dismissed.

31.7.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE