

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Misc.No.M-25557 of 2014
Date of Decision: January 09, 2015**

Saravjeet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

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

Mr.Kapil Aggarwal, AAG, Haryana.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner, Saravjeet Singh, who has been booked for having committed the offence punishable under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, in a case arising out of FIR No.134, dated 17.05.2014, registered at Police Station, Sadar, Tohana, District Fatehabad.

Learned counsel contends that the identity of the petitioner could not be established by the Investigating Agency; there were three more persons at the house of the petitioner and as such, it could not be concluded that the petitioner was in conscious possession of the contraband alleged to have been recovered by the police; and that the

petitioner has joined the investigation multiple times but nothing incriminating has emerged on record.

On the other hand, learned counsel for the State, on instructions from ASI Mohan Lal, CIA Staff, Fatehabad, submits that though the petitioner has joined the investigation twice but he has failed to give the correct information to the Investigating Agency with regard to the source from where the petitioner had procured the poppy husk and there was no motive on the part of the police to implant more than 108 kg poppy husk to falsely implicate the petitioner in the present case. He further submits that the police officers went to conduct the raid at the house of the petitioner but he ran away from there which would show his culpability.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

Concededly, more than 108 kg poppy husk was recovered from the house of the petitioner. In spite of grant of adjournment, the petitioner has failed to co-operate with the Investigating Agency. It does not appear to be reasonable that the Investigating Officer would falsely implicate the petitioner after implanting more than 108 kg poppy husk. The petitioner has not been able to show what was the enmity with the

Investigating Officer to falsely implicate him.

In view of the totality of the facts and circumstances of the case, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

January 09, 2015
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(Naresh Kumar Sanghi)
Judge