

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-32430 of 2015

Date of Decision: September 23, 2015

Balwant Singh @ Madan

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Aman Dhir, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.45 dated 25.03.2015 under Section 18 of the NDPS Act, registered at Police Station Sangat, District Bathinda.

I have heard learned counsel for the petitioner and have gone through the record.

As per prosecution version, a car was intercepted by the police party on the basis of the secret information. The present petitioner, who was sitting on the conductor seat, opened the door of the car and immediately ran away towards back side. The driver of the car was over-powered and from the car, 3 kgs. of opium was recovered.

The petitioner is nominated by the driver as well as

confirmed by Head Constable Gurkaptan Singh. The car was also owned by the present petitioner.

Keeping in view the facts and circumstances of the present case and in view of the recovery of commercial quantity of opium from the car, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail. There is nothing at this stage that FIR is false one and further, the mere fact that petitioner is not a previous convict, is no ground to grant anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

September 23, 2015
Vgulati

(INDERJIT SINGH)
JUDGE