

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-33131 of 2015

Date of Decision: October 20, 2015

Rohit Sharma

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sarju Puri, Advocate
for the petitioner.

Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.54 dated 07.06.2013
under Section 15 of the NDPS Act, registered at Police Station
Mukandpur, District SBS Nagar.

Notice of motion was issued and learned State counsel
appeared and contested the petition.

Police record is also available.

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

From the record, I find that the FIR has been registered in
this case on 07.06.2013. As per the FIR version, one vehicle Tata

ACE was stopped, which was being driven by Harkinder Singh @ Mangi and the person sitting on the bags lying in the back portion of the vehicle, disclosed his name as Satwant Singh. As per the FIR, 9 bags containing 25 kgs. of poppy husk each were recovered. The present petitioner is nominated in the present case by the co-accused. The first anticipatory bail petition of the petitioner was dismissed as not pressed as per order dated 01.05.2014. Since then, the present petitioner has not joined the investigation.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and heavy recovery of poppy husk from the co-accused and in view of the fact that petitioner is nominated by the co-accused while making their disclosure statements, I find that the petitioner is required for custodial interrogation and I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

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

October 20, 2015
Vgulati

(INDERJIT SINGH)
JUDGE