

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

**CRM-M-33149 of 2015
Date of Decision: 28.9.2015**

Sukhwinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. SPS Sidhu, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No. 81 dated 15.4.2015 under Sections 20/61/85 of the NDPS Act, registered at Police Station Division No.8, Jalandhar.

Learned counsel for the petitioner submits that the motorcycle from which the alleged recovery was effected does not belong to the petitioner. He further submits that the FIR was registered on a secret information. Allegations levelled against the petitioner are highly improbable and recovery was non commercial in quantity. He concluded by submitting that petitioner is ready and willing to join the investigation. He prays for allowing the present petition.

Having heard the learned counsel for the petitioner at considerable length, after careful perusal of record of the case and giving thoughtful consideration to the arguments advanced, 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 FIR is registered under the NDPS Act. Further, allegations against the petitioner are direct and specific.

In view of the above and without commenting anything on the merits of the case, at this stage, lest it should prejudice the rights of either of the parties, this Court is of the considered view that custodial interrogation of the petitioner would be a compulsive necessity for the investigating agency, so as to carry out an effective investigation. No case for anticipatory bail has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

28.9.2015
Ak Sharma