

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.34973 of 2015

Date of Decision:-16.10.2015

Avtar Singh @ Tarri.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. D.S. Virk, Advocate for the Petitioner.

Mr. R.K. Doon, AAG Haryana.

JASWANT SINGH, J (ORAL)

This is the second regular bail application filed under Section 439 Cr.PC on behalf of the petitioner Avtar Singh @ Tarri in case FIR No.424 dated 24.11.2014 for offences punishable under Sections 15/16/27-A/61/85 of the NDPS Act registered with Police Station Rania, District Sirsa, after the previous one was got dismissed as withdrawn vide order dated 23.09.2015.

As per the allegations the petitioner was apprehended while driving a Bolero and a recovery of 21 Bags of Poppy Husk measuring 20kgs each was recovered from the Bolero.

Learned Counsel for the petitioner contends that the petitioner was lifted from his house and a false case has been planted.

On the other hand learned State Counsel on instructions from

HC Mohan Lal submits that the plea taken is a matter of trial, however, the entire documents on the police file shows that the petitioner was arrested at the spot and from his conscious possession, huge recovery of Poppy Husk which is commercial in nature has been effected. Even the Bolero is owned by the real brother of the petitioner who has been arrayed as an accused. He submits that it has come on record that the petitioner along with his brothers are engaged in the smuggling of Poppy Husk from other states.

Keeping in view the above, no case for grant of anticipatory bail to the petitioner is made out.

Dismissed.

**(JASWANT SINGH)
JUDGE**

October 16, 2015
Vinay