

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-36116 of 2014
Date of Decision : 2.3.2015

Sukhpal Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. P.S. Brar, Advocate for the petitioner.
Mr. K.D. Sachdeva, Addl. A.G., Punjab.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Petitioner seeks pre-arrest bail in FIR no.16 dated 11.2.2014 under Sections 18/61/85 NDPS Act, Police Station Lakho Ke Behram, Distt. Ferozepur

Learned counsel for the petitioner submits that the petitioner was not apprehended at the spot. He has been named only by the co-accused. He further submits that the petitioner had already joined the investigation more than once and he is still ready to join the investigation, if so required.

On the other hand, learned counsel for the State submits that all the three accused, including the petitioner were travelling in the same car. 700 gms of opium was recovered from the car. He further submits that the petitioner successfully ran away from the spot. He also submits that the third accused is still at large. In such a situation, custodial interrogation of the petitioner is very much

necessary, so as to carry out the effective investigation and also to apprehend the third accused.

Having heard learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this court is of the considered opinion that present one has not been found to be a fit case for anticipatory bail, for the following more than one reasons.

In the present case, all the three accused were travelling together in the same car. Recovery of 700 gms of opium from the said car is also a matter of record. Third accused is yet to be apprehended. Despite his joining the investigation more than once, petitioner did not give any clue about the third accused. Having said that, this court feels no hesitation to conclude that the learned counsel for the State was fully justified to contend that for the purpose of carrying out effective investigation, custodial interrogation of the petitioner would be necessary.

In view of the above, the present petition has been found bereft of any merit and without any substance. No case for interference has been made out.

Resultantly, the instant petition stands dismissed.

2.3.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE