

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

Crl. Misc. No.M-39514 of 2014

Date of Decision: 16.01.2015

Gurcharan Singh

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ?**
- 2. To be referred to reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Present:- Mr. L.S. Sekhon, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.45 dated 24.05.2014 registered under Section 21 of the NDPS Act at Police Station Fatehgarh Panjtoor, District Moga.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he was not involved in any manner. He further submits that the petitioner is 70 years of age and the alleged recovery was only 15 gms. of *heroin*, which was thrown by the co-accused. Learned counsel further submits that the petitioner is ready to join investigation.

Learned counsel for the respondent-State submits that the petitioner is also involved in one more case of NDPS Act, wherein, he has been convicted and names of the accused were mentioned in the secret information. She further submits that the accused were identified by Head Constable Surinderpal Singh and Head Constable Sukhdev Singh. She also submits that the allegations against the present petitioner and the other accused are that they were involved in selling of such like contraband and money was also recovered from them.

As per submissions made by learned State counsel and also the fact that the petitioner is involved in another case of NDPS Act and was also identified, therefore, it cannot be said, at this stage, that he has falsely been implicated as only the allegations in the FIR are to be seen.

In view of the above, no ground is made out to grant anticipatory bail to the petitioner and the petition is, accordingly, dismissed.

16.01.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE