

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-40277 of 2015 (O&M)
Date of decision: 04th December, 2015

Gurdas Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. K.S.Dhaliwal, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner has preferred the instant petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.161 dated 10.10.2015, registered at Police Station Guhla, District Kaithal, under Sections 15 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985.

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

As per FIR, a secret information was received that petitioner Gurdas Singh alongwith his brother Gopal and one Lakhwinder Singh were bringing poppy husk in two cars. Naka was laid and Gopal Singh and Lakhwinder Singh were apprehended on the spot but petitioner Gurdas Singh fled away from the spot. He has been nominated by his brother Gopal Singh. The recovery effected from both the car is 180 kgs poppy husk, containing in 9

bags. The petitioner is required for custodial interrogation. Otherwise also, in view of the recovery of commercial quantity, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail. At this stage, it cannot be argued that there is no evidence against the petitioner and he is entitled for grant of anticipatory bail as he was not arrested on the spot. The investigation is at preliminary stage and as, already discussed, he is required for custodial interrogation.

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

04th December, 2015
mamta

(INDERJIT SINGH)
JUDGE