

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

CRM No.M-4389 of 2015

Date of Decision: February 16, 2015

Jaswant Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Parminder Singh Sekhon, Advocate  
for the petitioner.

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**INDERJIT SINGH, J.**

Petitioner has filed this petition under Section 438 Cr.P.C.  
for grant of anticipatory bail in case FIR No.637 dated 07.12.2013  
under Sections 15 and 27A of NDPS Act registered at Police Station  
Ratia, District Fatehabad.

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

The FIR in the present case has been got registered on  
the statement of Inspector Shiv Kumar, in which he stated he along  
with SI Tarsem Singh was present in the village Mehmada, when he  
received secret information that petitioner-accused Jaswant Singh  
and Pola Singh are indulging in the business of selling poppy husk in  
Punjab and if a raid is conducted, they can be caught red handed.

Thereafter, a raiding party was formed and it reached at the Dhani of

accused Pola Singh and they saw that three persons were loading poppy husk in a car and on seeing the police party, two of them managed to escape and accused Krishan was apprehended on the spot.

As per the order dated 08.08.2014 passed by learned Addl. Sessions Judge, Fatehabad dismissing the anticipatory bail application, proceedings against the present petitioner have already been initiated under Section 82 Cr.P.C. There is recovery of 705 kg. 600 grams of poppy husk from the co-accused Krishan. In the FIR, it is written that persons, who ran away, were Pola Singh and Jaswant Singh. It is also in the FIR that they were known to SI Tarsem Singh earlier.

In view of the facts and circumstances of the present case and in view of the heavy recovery of poppy husk, which falls under commercial quantity, no ground is made out to grant benefit of anticipatory bail to the petitioner.

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

**February 16, 2015**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**