

In the High Court of Punjab and Haryana at Chandigarh

CRM M-6581 of 2015

Date of Decision: March 03, 2015

Baljinder Singh @ Laddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Sukhjit Singh, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 51 dated 13.05.2014, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Division No.7, Jalandhar.

Learned counsel for the petitioner contends that there were nine members in the police party and they succeeded in arrest of two co-accused, but could not arrest the petitioner. In view of this, petitioner is an innocent person and has been falsely implicated. Learned counsel further contends that petitioner belongs to District Ludhiana and the other persons who were in canter No. HR-37R-5482 belong to Moga District, as such,

petitioner is not known to the other co-accused.

I have considered the contentions raised by learned counsel for the petitioners and perused the record.

So far as the first contention is concerned, it is not sustainable for the reasons that there are specific allegations in the FIR that Canter No. HR-37R-5482 was coming from Madhya Pradesh loaded with huge quantity of poppy husk, which was being brought by the petitioner.

So far as the second contention is concerned, it is yet to be seen at the time of interrogation as to whether the accused are known to each other and petitioner has any relation with those persons. FIR has been registered on the secret information and ultimately, recovery of poppy husk has been effected from the Canter. At the initial stage, it cannot be prima facie believed that the petitioner has no relationship.

Keeping in view the gravity of offence and recovery of huge quantity of poppy husk, I do not find any ground that petitioner deserves the concession of pre-arrest bail.

Dismissed.

March 03, 2015
vkd

[Paramjeet Singh]
Judge