

***IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH***

CRM No.M-3469 of 2016 (O&M)

Date of Decision: 16.02.2016

Gurdit Singh @ Geetu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rakesh Kumar, Advocate for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

....

TEJINDER SINGH DHINDSA.J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.158 dated 22.06.2015, under Section 15 of the NDPS Act, registered at Police Station Shahkot, District Jalandhar City.

Counsel appearing for the petitioner has vehemently argued that the petitioner was not apprehended at the spot and as such no recovery has been effected from his person.

Be that as it may, learned State counsel has apprised the Court that the recovery in the present case is of 6 quintals and 48 kgs of poppy husk. As per prosecution version, such consignment was being unloaded from a truck and into a swift car bearing registration No.PB-02-BM-0913. During the course of investigation, it has surfaced that the car is in the ownership of the real brother of the present petitioner and the driving license of the present petitioner was found in the car.

That apart, it has also gone uncontroverted that the petitioner having evaded the process of law, has been declared as proclaimed offender vide order dated 09.12.2015.

In view of the circumstances noticed hereinabove, the petitioner is not held entitled to the concession of pre-arrest bail.

Petition dismissed.

16.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**