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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 14286 of 2017
Date of Decision: 22.05.2017

Gurpreet Singh @ Gopi

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. I.P.S. Kohli, Advocate,
for the petitioner.

Ms. Rimplejeet Kaur, A.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

On 26.04.2017, while issuing notice of motion, it was noticed that the F.I.R. was registered on the basis of secret information, wherein name of the petitioner was shown to be Sukhwinder Singh @ Gopi in place of his name Gurpreet Singh @ Gopi. The allegation against the petitioner was that he fled away from the *naka*.

Learned State counsel on instructions from A.S.I. Gurdev Singh stated that at the *naka* point, R.C. of the car was taken by the police party and the same was in the name of mother of the petitioner, therefore, the petitioner cannot take benefit of his name

Sukhwinder Singh @ Gopi or Gurpreet Singh @ Gopi.

Learned State counsel further stated that the petitioner was involved in six cases under Narcotic Drugs and Psychotropic Substances Act, 1985 (for short the N.D.P.S. Act) and two cases under the Penal provisions.

In F.I.R. No. 36, dated 07.06.2013, under Section 21 of the N.D.P.S. Act, 50 grams of heroin was allegedly recovered.

Learned counsel for the petitioner, by referring to the age of the accused involved therein, stated that Gurpreet Singh @ Sonu was shown to be 12 years of age and was resident of Village Butt in the District Jalandhar, and the accused was tried before the Principal Magistrate, Juvenile Justice Board.

Second F.I.R. No. 118, registered on 07.10.2012, under Section 21 of the N.D.P.S. Act, in Police Station Sadar Kapurthala, the petitioner was acquitted on 09.05.2016.

Third F.I.R. No. 34 was registered on 09.02.2016, under Sections 21/22 of the N.D.P.S. Act, in Police Station Kotwali Kapurthala, in which 50 grams of heroin was allegedly recovered from the petitioner. The petitioner has been convicted and sentenced for the period already undergone by him, vide judgment dated 21.02.2017.

In F.I.R. No. 70, dated 27.05.2014, under Sections 15/21/22 of the N.D.P.S. Act, the challan has been presented.

According to learned counsel for the petitioner, the petitioner has not been challaned therein, however, this contention has been refuted by learned State counsel on instructions from A.S.I. Gurdev Singh.

In F.I.R. No. 61, dated 04.04.2016, under Sections 15/18/21 of the N.D.P.S. Act, no recovery has been effected from the petitioner and the petitioner was granted anticipatory bail.

In two F.I.Rs under the Penal provisions, i.e. F.I.R. No 79, dated 09.08.2010, the petitioner has been acquitted and second F.I.R. No. 57, dated 25.04.2007, cancellation report has been submitted.

In view of aforesaid, I deem it appropriate to direct the petitioner to appear before the Investigating Officer on 26.05.2017 to join the investigation and in the event of his appearance, he shall be granted bail to the satisfaction of the Arresting Officer.

Petition stands disposed of.

May 22, 2017

Apurva

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No