

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-41249-2017 (O&M)

Date of decision: 07.12.2017

Lala Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr.SS Gill, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Prayer in the instant petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 201 dated 02.09.2017 registered under Section 15 and 25 of the NDPS Act read with Section 473 IPC at Police Station Sangat, District Bathinda.

2. According to the prosecution, on 01.09.2017, 11 bags containing 155 Kgs of poppy husk (9 bags containing 15 Kg each and 2 bags each containing 10 kgs) were recovered from the Car bearing registration No. PB-19B-6068, make Hudayi Creta, owned by the petitioner. The petitioner was transporting huge quantity of contraband in his vehicle by forging its number plate to conceal his identity.

3. Learned counsel *inter alia* contends that the petitioner has been falsely implicated in the instant case. He has not been arrested at the spot. The name of the petitioner was mentioned on the basis of documents allegedly recovered from the said vehicle, but he has no concern with the

alleged recovery. It is not possible for the petitioner to ran away from the

spot while leaving the vehicle in the presence of police officials.

4. On the other hand, learned State counsel vehemently opposed the prayer for grant of anticipatory bail to the petitioner.
5. Considering the heavy recovery i.e. 155 Kgs of poppy husk from the vehicle bearing registration No. PB-19-B-6068, owned by the petitioner, he does not deserve the concession of anticipatory bail.
6. Dismissed.

December 07, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No