

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

**CRM No.M-478 of 2017 (O&M)
Date of Decision: 31.01.2017**

Sahib Singh @ Sabi

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. R.S. Sidhu, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, 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.62, dated 13.06.2015, under Sections 22/61/85 of the NDPS Act, registered at Police Station Goindwal Sahib, District Tarn Taran.

As per prosecution version, an alleged recovery of 450 grams of contraband was effected from the petitioner.

The challan having not been presented within the statutory time frame, the petitioner was granted benefit of bail.

Pleadings on record would indicate that the petitioner has misused the concession and absented himself from the trial proceedings on 16.12.2016.

Learned State counsel would apprise the Court that even proclamation proceedings stands initiated against him.

Court has also been informed that report of the chemical examiner has since been received and as per which the contraband

recovered from the petitioner is found to be containing the salt of diacetylmorphine. Such recovery would be construed as commercial in nature.

Keeping in view the conduct of the petitioner and coupled with the commercial recovery allegedly effected from the petitioner, this Court is not inclined to grant in favour of the petitioner concession of pre-arrest bail.

Petition is dismissed.

31.01.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |