

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 103

Case No. : Crl. Misc. No. M-6477 of 2017

Date of Decision : March 07, 2017

Amit @ Meeta		Petitioner
vs.		
State of Haryana		Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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Present : Mr. Satbir Gill, Advocate
for the petitioner.

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DEEPAK SIBAL, J. :

Through this petition filed under Section 438 Cr.P.C., the petitioner seeks grant of anticipatory bail in FIR No. 96 dated 03.02.2017, registered under Sections 21-B, 22-B, 61, 85 of the NDPS Act, at Police Station City Sirsa, District Sirsa.

As per the case of the prosecution, the police received information that the petitioner and one Navdeep were dealing in drugs and on a particular time and date, would be going to J. J. Colony on Hero Honda Splendor Plus motorcycle bearing registration no. HR-24-M 6746. On such information, the police installed a barricade and as per the information received, two boys were seen coming on a motorcycle, who were signalled to stop but they tried to flee. One of them – Navdeep was apprehended at

the spot, whereas the other person, who was later on identified as the petitioner, managed to escape. On search, 600 tablets of Rizolam Alprazolam IP 0.5 mg were recovered. No license or permit for possessing such tablets was produced.

Seeking concession of anticipatory bail, learned counsel for the petitioner submits that the petitioner is not involved in any other criminal case; no recovery was effected from him and that he was sought to be arrested only on the statement of a co-accused, which statement was not admissible in evidence.

On perusal of the record, particularly the order dated 13.02.2017, passed by the Sessions Judge, Sirsa, rejecting the application filed by the petitioner for anticipatory bail, it is revealed that the statement made by learned counsel for the petitioner that the petitioner is not involved in any other criminal case is incorrect as it has been specifically noted in the afore-referred order that another case under the NDPS Act was pending against him. On being questioned by me, learned counsel for the petitioner admitted this fact. As per the case of the prosecution, on seeing the police party, the petitioner had managed to escape.

Being involved in cases under the NDPS Act one after the other does not entitle the petitioner to the grant of anticipatory bail, especially when he, on signal to stop at the barricade set up by the police, has allegedly fled. His custodial interrogation is warranted to find out the source of the recovered narcotics and the market thereof. Who else are involved also

needs to be probed.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

Nothing observed herein above shall be considered as an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

March 07, 2017
monika

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>