

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

CRM-M-13759-2018

Date of decision:-30.4.2018

Jeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Ms.Manjot Kaur, Advocate
for the petitioner.

Mr.Ramandeep Sandhu, Sr.D.A.G., Punjab.

H.S. MADAAN, J.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Jeet Singh, an accused in FIR No.6 dated 12.1.2018, under Section 21/22 of NDPS Act, registered with Police Station Dirba, District Sangrur.

Briefly stated, the prosecution story is that on 12.1.2018, a police party from Police Station Dirba, District Sangrur travelling in a private vehicle was going from village Dirba towards Baba Bersiana road in connection with patrolling and in search of persons suspected to be involved in criminal activities and when the vehicle carrying the police party had reached Baba Bersiana turning towards Turwanjoro side in the area of Dirba and time was about 7:00 p.m., then a person, whose name was subsequently came to be known as Babbi Singh son of Sikander

Singh, resident of Baba Beer Singh of Baazigar community was apprehended and on being searched as per law he was found to be carrying heroin weighing about 5 gms., which was taken into police possession, after drawing sample. Ruqa was sent to the police station. The accused was interrogated during the course of which, he revealed that heroin recovered from him had been given to him by Jeet Singh son of Mohinder Singh of Baazigar community, resident of Baba Beer Singh, Baazigar Basti, Dirba (present petitioner), in that way, the present petitioner was nominated.

Apprehending his arrest in this case, the petitioner had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application, however, his such request was declined by learned Judge, Special Court, Sangrur vide order dated 13.3.2018. As such, the petitioner has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State, which put in appearance through counsel.

I have heard learned counsel for the parties besides going through the records and I do not find any merit in the present petition.

Pre arrest bail is a discretionary relief and is to be granted in exceptional cases and not in routine. It is meant to save the innocent persons from harassment and inconvenience and not to screen the culprits from custodial interrogation. The name of the petitioner has cropped up during interrogation of co-accused.

Custodial interrogation of the petitioner is definitely required for complete and effective investigation to find out that from where he had

procured the heroin, which he had given to accused Babbi Singh and as regards the other details about the sources from where he had been procuring the contraband and the persons to whom he had been supplying. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely, which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

30.4.2018

Brij

Whether reasoned/speaking

Whether reportable

:

:

Yes/No

Yes/No

(H.S.MADAAN)

JUDGE