

S.No.209

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

CRM-M-27604 of 2018 (O&M)

Date of Decision:08.08.2018

Obina Mike Ernst

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Gurbir Singh Sandhu, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.18 dated 07.05.2018 registered under Sections 21, 29, 61, 85 NDPS Act and Section 14 of Foreigners Act, 1946 at Police Station STF, Phase-IV, Mohali.

Counsel for the petitioner submits that the petitioner is not involved in the crime. He is only a student studying in Delhi. Even as per the case of the prosecution, the recovery from him is only 15 grams of heroin which is, a non-commercial quantity. It is further contended that there is no other case against the petitioner.

On the other hand, learned State Counsel on instructions from ASI Sukhwinder Singh, submits that the petitioner has been playing tricks even upon the Court. On the last date of hearing, counsel for the petitioner has supplied the address of the petitioner for verification by Police. The Police has verified that address but on verification, it was found that

the petitioner had left that rented address even before his arrest by the Police. Therefore, the Police is not able to verify if there are any other cases against the petitioner or not. It is also contended that the petitioner has remained evasive during the investigation of the case. Even passport of the petitioner is not surrendered either before the Court or before the IO.

In view of the above circumstances, but without commenting upon the merits of the case, the present petition is dismissed.

August 08, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No