

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

CRM-M-29285-2018 (O&M)

Date of Decision:- 3.8.2018

Rajveer Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. C.S.Rana, Advocate, for the petitioner.

Ms. Ruchika Sabbharwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

Petitioner seeks grant of anticipatory bail in FIR No. 78, dated 4.10.2016, under Sections 15, 25, 29, 61, 85 of NDPS Act, Police Station City Raikot, Ludhiana.

The allegation as per FIR are that a secret information was received by the police to the effect that Rajveer Singh is running a filling station (petrol pump) in Bareilly in Uttar Pradesh and is earning huge money by supplying poppy husk in his personal/rented truck. The information was further to the effect that truck of Rajveer Singh bearing registration No. HR-63A-3193 is coming towards Ludhiana from the side of Sangrur, Barnala

loaded with poppy husk which was being driven by Rohit Kumar who is accompanied by Mohit.

Pursuant to receipt of aforesaid information, barricades were raised and the aforesaid truck in question was apprehended and two persons were found in the truck i.e. driver Rohit Kumar and Mohit. Upon search of the truck in question, 79 bags of poppy husk each containing 20 Kgs were recovered.

Notice of this petition was issued to the State. Learned State counsel has opposed the petition.

Learned counsel for the petitioner has submitted that he was never arrested at the spot and that in fact he had no knowledge about the articles being transported in the truck in question as he had rented out the truck in question to Rohit Kumar. The learned counsel in this context has drawn the attention of this Court to the agreement (Annexure P-1) between the petitioner and Rohit Kumar.

Learned counsel in order to hammer-forth his aforesaid submissions, places reliance upon Jaz Singh Vs. State of Haryana 2016(1) RCR (Criminal) 454 P&H and Ram Pal Vs. State of Punjab 2003(3) RCR (Criminal) 159 P&H.

Having considered the aforesaid submissions and also perused the cited judgments, I find that the present case is distinct on facts from the cited judgments, inasmuch as the name of the petitioner figures in the FIR itself wherein a secret information had categorically been received to the effect that the petitioner is indulging in the sale of poppy husk. Further, the truck in question which was apprehended was found to be registered in the

name of the petitioner. In these circumstances there is much to be explained on part of the petitioner and for which custodial interrogation would be necessary. I do not find any special ground for grant of anticipatory bail.

There is no merit in this petition and the same is hereby dismissed.

August 3, 2018
mohan

(Gurvinder Singh Gill)
Judge

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