

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

CRM-M-30012 of 2018.

Decided on:-July 19, 2018.

Gurtej Singh @ Baba Kala Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in FIR No.137 dated 09.06.2018 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) registered at Police Station Raman, District Bathinda.

The aforesaid FIR was registered with the allegations that on 09.06.2018, when the police party headed by ASI Gurdev Singh was on patrolling and were checking for suspicious persons near minor canal in the area of village Raman, one Alto car of red colour bearing registration No.DL-9CK-3695 came and stopped at a short distance before the police barricading. The driver of the car was wearing saffron coloured clothes (like priests). He tried to flee away in the vegetable fields on his right side. ASI Gurdev Singh reached near the car and directed HC Makhan Singh and Constable Amrjit

Singh to chase the person, who ran away. However, one person with cropped hair was seen sitting on the co-driver's seat of the car. This person was nabbed by the police, who disclosed his name as Manak Singh son of Satpal Singh, caste Ramdasia Sikh, resident of Malkana Road, Raman. He also disclosed the name of the person, who ran away as Baba Kala Singh son of unknown resident of Bhikhi Kotda.

The car was checked and from the dashboard, one plastic polythene was found, which contained strips of pink colour intoxicant tablets. On checking, it was found that there were 27 strips of Alprazolam tablets (Alprafrash 0.50) each containing 15 intoxicant tablets i.e. total 405 tablets.

Learned counsel for the petitioner has argued that the story of the prosecution that the petitioner ran away from the spot and his name was disclosed by the co-accused, is concocted. Though it is the prosecution version that 27 strips of Alprazolam were recovered, but neither the petitioner was apprehended from the spot nor the date of manufacturing, batch number, date of expiry or even the name of manufacturer of the tablets finds mention in the FIR.

I have heard learned counsel for the petitioner.

The allegation against the petitioner is that the car in which he was found travelling was intercepted by the police and on its checking, 415 tablets of Alprazolam were found from the possession of co-accused Manak Singh, who disclosed the name of the petitioner. Taking advantage of the situation, the petitioner managed to escape from the clutches of the police.

Therefore, keeping in view the seriousness of allegations, this Court does not find it to be a fit case for grant of anticipatory bail.

Accordingly, the present petition, being devoid of any merit, is dismissed.

July 19, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No