

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-31621 of 2018

Date of Decision: 08.08.2018

Lakhwinder Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

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

Present:- Mr. Krishan Singh, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.188 dated 19.06.2018 under Sections 21 and 22 NDPS Act registered at Police Station Mahesh Nagar, District Ambala.

In the aforesaid FIR, co-accused of the petitioner namely Akash and his real brother namely Jaswinder Singh have named the petitioner in their disclosure statements. It is alleged that 1872 tablets of Spasmo Proxyvon-Plus were recovered from the possession of Akash whereas 2016 tablets of Spasmo Proxyvon-Plus were recovered from the possession of Jaswinder Singh. While making their disclosure statements,

accused Akash and Jaswinder Singh have named the petitioner, as an accused.

I have heard learned counsel for the parties.

The argument put forward by learned counsel for the petitioner that the petitioner has been named solely on the basis of disclosure statements of the co-accused namely Akash and Jaswinder Singh, cannot be accepted, at this stage, for the purpose of grant of anticipatory bail, which is an extraordinary power vested in the Court and the prosecution version is required to be appreciated. The police is already investigating the matter.

Therefore, this Court does not find any reason to enlarge the petitioner on bail.

Accordingly, the present petition is dismissed.

August 08, 2018
archana/AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No