

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32430-2018

Date of Decision:- 15.10.2018

Gujral Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. I.P.S. Kohli, Advocate, for the petitioner.

Mr. A.S.Sandhu, Addl. A.G. Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.06 dated 01.07.2018, under Section 21 of NDPS Act, at Police Station Patara, District Jalandhar.

It is the case of the prosecution that 20 grams of Heroin was recovered from one Rakesh Kumar and Jagir Kaur. Jagir Kaur, on interrogation, made a disclosure statement that she had purchased the contraband from the petitioner.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is no evidence to connect him with the alleged recovery and, as such, he deserves concession of bail.

On the other hand, learned State counsel has submitted that the petitioner is involved in another case of recovery of commercial quantity of Diphenoxylate hydrochloride and in these circumstances, the petitioner being

habitual offender, does not deserve concession of bail. It has further been informed that although the petitioner has joined the investigation but he is not fully co-operating inasmuch as he has stated that he had procured the Heroin from one Nigerian but name and address is not being disclosed.

Having heard the rival submissions addressed before this Court and bearing in mind that the petitioner was not arrested at the spot, in my opinion, it is a fit case for grant of concession of anticipatory bail. The petition is hereby accepted and interim directions issued vide order dated 01.08.2018 are made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when directed and would fully cooperate with the investigation.

October 15, 2018

jt

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No