

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

CRM-M-35745 of 2018.
Decided on:-August 20, 2018.

Harmesh Singh @ Ramesh Kumar @ Mesi.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. Jagmeet Singh Moudgill, 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.110 dated 06.07.2018 under Sections 15, 20 and 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Mansa, District Mansa.

The FIR in question was registered against the petitioner with the allegations that on 09.06.2018, the police party headed by ASI Harbhajan Singh was checking the suspicious persons in the area of Police Station Sadar Mansa. When they reached on the main road from village Thuthian Wali and were present one kilometre ahead of village Thuthian Wali in the area of village Bhaini Baghan, two women were seen, who were carrying one plastic

bag of white colour in their hand. On seeing the vehicle of police party, they threw the plastic bag and turned back. Both of them were apprehended with the help of lady Constable Baljit Kaur. One woman told her name as Melo Kaur wife of Jora Singh, whereas the other woman told her name as Soni Kaur wife of Butta Singh. The plastic bag was opened and checked from which 6 Kgs. poppy husk was recovered. Besides this, there was a polythene bag of black colour lying in the said plastic bag, which was also checked and 500 grams 'Gaanja' was also recovered from the said polythene bag.

Learned counsel for the petitioner has argued that the name of the petitioner was not mentioned in the FIR and he was involved in the case by the police vide DDR No.55 dated 06.07.2018. The alleged recovery, if any, was not effected from the petitioner and the police has falsely implicated him in the present case.

I have heard learned counsel for the petitioner.

Perusal of the order dated 08.08.2018 passed by learned Special Court, Mansa, vide which the application for anticipatory bail of the petitioner was rejected, shows that during investigation of the case, co-accused Melo Kaur and Soni Kaur disclosed that they brought the contraband i.e. 'Gaanja' from Harmesh Kumar alias Meshi (petitioner herein) in routine and he used to send the contraband at any place as per the requirement.

Therefore, keeping in view the seriousness of allegations levelled against the petitioner, this Court finds that the petitioner does not deserve the benefit of anticipatory bail.

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

August 20, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No