

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-36419-2018

Date of Decision:04.09.2018

Mandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl. A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.83 dated 19.07.2018 under Section 21 of the NDPS Act, registered at Police Station Chohla Sahib, District Tarn Taran.

As per FIR, a secret information was received by the police disclosing involvement of three persons in selling of narcotics. Petitioner along with other co-accused was travelling in a 'Swift' white colour car, which was coming towards village Mohanpura on the road of Waraya. Since the car was new, no registration number was allotted. After noticing the police-party in uniform, the driver stopped the car before 50-60 yards and after taking out a heavy polythene bag from his pocket threw it on the ground and ran away towards south side in the paddy fields. The SI/SHO

already knew the name of petitioner-Mandeep Singh son of Pal Singh, who

was driving the vehicle. The black polythene bag as thrown by accused-Mandeep Singh who had run away from the spot, was opened and on its checking, 320 gms. of heroine was found in it.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. Even otherwise, there is no occasion for SI/SHO to know the name of the petitioner. He has further argued that the 'Swift' car was taken by the police a day before the incident.

On the other hand, learned State Counsel on instructions from ASI Sawinder Singh states that noticing the police-party, petitioner ran away from the spot. He was driving the vehicle though the vehicle was not registered, but on the basis of engine and chassis numbers, ownership of the vehicle was established.

I have heard learned counsel for the parties.

Noticing the fact that the allegations against the petitioner are serious as 320 gms. of heroine was recovered from the bag thrown by the petitioner, who had succeeded in escaping, no ground to grant anticipatory bail is made out.

Dismissed.

September 04, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No