

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

CRM-M-40671 of 2018.

Decided on:-October 12, 2018.

Gurdial Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. Vinod Kumar Kaushal, Advocate
for the petitioner.

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

HARI PAL VERMA, J.

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in FIR No.64 dated 08.07.2018 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) registered at Police Station Bhindi Saidan, District Amritsar Rural.

As per the FIR, on 08.07.2018, when the police patrolling party headed by Inspector SHO, Police Station Bhindi Saidan, reached just ahead of T-point village Khanpur, a young man was seen coming from village Talli on the left side of the road on foot. Seeing the police party, he suddenly got frightened and started moving backward and also threw away some object which he was holding in his right hand. He was apprehended by the SHO with the help of colleagues. On enquiry, he disclosed his name as Sham Singh. On

search having been conducted, a bag of intoxicating tablets was recovered. On counting, it was found that there were total 300 tablets in the bag. He failed to produce any licence or permit for keeping some intoxicating tablets in his possession. However, during investigation, Sham Singh disclosed that the intoxicating tablets were purchased by him from the present petitioner.

Learned counsel for the petitioner has argued that the petitioner has falsely been implicated in the case and merely on the statement of co-accused, the petitioner cannot be made an accused. No offence under the NDPS Act has been committed by the petitioner.

I have heard learned counsel for the petitioner.

Perusal of the paper book shows that co-accused Sham Singh, who was arrested by the police, disclosed the fact that the intoxicating tablets were purchased by him from the present petitioner. Therefore, this Court finds that no ground is made out for grant of anticipatory bail to the petitioner.

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

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

October 12, 2018

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No