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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.4176 of 2018
Date of Decision: 09.02.2018

Ravi Anil

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sahil Puri, Advocate,
for the petitioner.

Ms. Rajni Gupta, Senior D.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner seeks his release on regular bail in F.I.R. No.46, dated 12.06.2016, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Begowal, District Kapurthala.

2. Ld. Counsel for the petitioner, *inter alia*, submits that his client has been motivatedly framed by the Police Authorities on account of some previous grudge/enmity with close relative of the petitioner's family, namely Avtar Singh. To substantiate this contention, Ld. Counsel for the petitioner has also drawn attention to the fact that two more F.I.R. Nos.44 and 45 of the same date, were drawn up in the same Police Station, against his other family members alleging recovery of contraband from each of

them at different spots on the very same day, i.e. 12.06.2016, which in itself is a highly improbable situation.

3. Ld. State Counsel, however, opposes the bail application of the petitioner by contending that the he has committed the offence in the present case while being on bail in an earlier F.I.R. No.32 of 2015, registered at Police Station Bholad, Kapurthala, and, therefore, does not deserve the concession of bail.

4. Be that as it may, in view of the very peculiar circumstances put on record in the opening paragraph of this order, coupled with the fact that the petitioner's father, namely Jasvir Singh @ Gheesi, has already been released on bail in CRM-M No.27428 of 2017, by this Court on 09.01.2018, and the petitioner has certainly not been actually convicted in any case under the Narcotic Drugs and Psychotropic Substances Act, 1985, till date, this Court is of the opinion that further detention of the petitioner at this stage is not justified.

5. In view of above, the present petition is allowed and the petitioner, namely Ravi Anil son of Jasvir Singh, is also directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Illaqa Magistrate, concerned.

09.02.2018*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No