

**202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-47851-2018
Date of decision-01.12.2018**

Gurcharan Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Manjot Kaur, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.3 dated 13.01.2018 registered under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Nabha, District Patiala.

Learned counsel for the petitioner contends that the petitioner is the registered owner of the vehicle bearing No.PB-13-BA-0943 i.e. Swift Dzire which was allegedly being driven by Balwinder Singh @ Rubby (brother of the petitioner) and other person, namely, Babbu who is stated to be accompanying Balwinder Singh at the time of alleged occurrence and both managed to escape. It is also pointed out that Balwinder Singh has already been extended the concession of anticipatory bail. It is argued that petitioner is not connected to the alleged possession and recovery of the

contraband.

On the other hand, State counsel has opposed the bail on the ground that the offence is serious. However, it is not disputed that the petitioner was not present at the time of occurrence and his brother who was driving the vehicle, is on anticipatory bail.

Resultantly, without commenting anything on the merits of the case, the petiton is allowed and in the event of arrest, the petitioner is ordered to be released on bail upon his furnishing the bail bonds and surety bonds to the satisfaction of Arresting Officer/Investigating Officer concerned. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

01.12.2018

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No