

Vijay Kant Ojha vs. State of Punjab

Present: Mr. Amaninder Preet, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

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Petitioner prays for grant of regular bail in FIR No.0044, dated 04.04.2019, registered under Sections 22/25/29/61/85 of Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Kotwali, District Bathinda.

Learned counsel for the petitioner contends that the petitioner was not apprehended at the spot and there is no recovery from the petitioner. He submits that he is sought to be implicated on the statement of co-accused, which is a weak type of evidence.

On the other hand, learned counsel for the State, on instructions from ASI Gurmukh Singh, has submitted that call details between the petitioner with Rahul from whom 53000/- intoxicant tablets were recovered have been traced in immediate proximity with the time of incident. He further points out that approximately 3-4 calls were also made by the petitioner to Sandeep, who is uncle of Rahul. He further submitted that the investigation is in progress.

Keeping in view the provisions of NDPS Act, 1985 and the fact that the investigations are still in progress, no ground to release the petitioner on regular bail is made out.

Dismissed.

July 03, 2019

**(ANIL KSHETARPAL)
JUDGE**