

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

**CRM-M-49392-2019
Date of decision-28.11.2019**

Keshav Dass @ Vicky

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Dinesh Nagar, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has prayed for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.0011 dated 24.02.2019 under Sections 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Balachaur, District SBS Nagar. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case as he is neither named in the FIR nor he was present at the spot. He submits that he has been indicted in the present FIR on the basis of the disclosure statement suffered by Hari Om and Sanjay @ Laddu.

Learned State counsel on instructions from ASI Purshotam Lal has apprised the Court that recovery of the poppy husk was effected from the truck bearing No.PB-11-CQ-0286 which was parked at Raju Majra and

was abandoned. It was case of the prosecution that the said vehicle was driven by Davinder Kumar which was owned by Hari Om. It is pointed out that the petitioner was indicted on the statement of Hari Om on the ground that the said poppy husk was to be sold by these persons.

Considering the above background, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

28.11.2019

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