

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-50779 of 2019
Date of Decision: 13.12.2019

Kuldeep @ Lolo

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Varinder Basa, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.33 dated 20.08.2019 registered for offences punishable under Sections 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Nangal Bhoor, District Pathankot.

Heard.

As per case of prosecution, ASI Sukhdev Raj of Police Station Nangal Bhoor, District Pathankot apprehended Palwinder @ Sukha and recovered 170 gms. of Heroin from his possession. During interrogation he disclosed that the contraband was supplied to him by the petitioner and he was working under him and other co-accused to sell the narcotic material.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. He is a drug addict and has no concern with the recovery effected from Palwinder @ Sukha.

Learned State counsel submits that the petitioner has been

convicted in another case registered against him under the NDPS Act. Whole family of the petitioner is involved in drug trafficking. His father-in-law, mother-in-law and sister-in-law have also been apprehended and are facing trial in cases registered against them under the provisions of NDPS Act. In order to find the source of narcotics recovered from Palwinder @ Sukha, custodial interrogation of the petitioner is required.

Recovery in this case was effected from Palwinder @ Sukha. In order to thoroughly investigate the case, police is required to lay its hands not only on the courier but also on the supplier of drugs and persons/kingpin involved in the drugs trafficking. The petitioner has nowhere alleged that Palwinder @ Sukha has any enmity or reasons for his false implication in this case. In order to thoroughly investigate the case, custodial interrogation of the petitioner is required.

Keeping in view above facts, I find no reason to extend the benefit of anticipatory bail to petitioner.

This petition has no merit and the same is dismissed.

December 13, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No