

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

CRM-M-7602-2020

Date of decision: February 25, 2020

Budh Parkash

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Piyush Sharma, Advocate
 for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail in case FIR No.11 dated 13.1.2020 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Fazilka.

Counsel for the petitioner submits that as per the allegations in the FIR, which was registered on a secret information, the police got an information that Raj Singh, petitioner-Budh Singh and Binder Singh were bringing poppy husk in a car. On receiving such information, a ruqa was sent to the Police Station and the FIR was registered and, thereafter, the investigation was handed over to the second Investigating Officer, who laid a barrier and arrested one Raj Singh, whereas the other two persons ran away from the spot. From co-accused Ram Singh, 35 kgs. of poppy husk, contained in two plastic bags, was recovered. Counsel for the petitioner further submits that the petitioner was not arrested at the spot and he was nominated and on the disclosure of co-accused Raj Singh, he was granted the concession of anticipatory bail.

Learned State counsel, however, has opposed the prayer on the ground that the petitioner was named in the secret information which was

followed by arrest of the co-accused and recovery of 35 kgs. of poppy husk. Counsel for the petitioner further submitted that the petitioner is involved in one more FIR, in which he already stands convicted.

After hearing counsel for the parties, without commenting anything on the merits of the case and considering the fact that the petitioner is already convicted in one case under the NDPS Act and he was named on a secret information, no ground for grant of anticipatory bail is made out.

Accordingly, the present petition stands dismissed.

February 25, 2020
satish

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No