

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

CRM-M No.14202 of 2020 (O&M)

Date of decision : June 08, 2020

Hardeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Munish Raj Chaudhary, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

CRM-12478-2020

Application is allowed as prayed for.

Main Case

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in respect of FIR No.283, dated 20.05.2020, under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Barnala, District Barnala.

Learned counsel for the petitioner argues that the petitioner has wrongly been implicated in the present FIR and no recovery has been done from him. Learned counsel for the petitioner further argues that the petitioner has been implicated only on the basis of the statement made by co-accused Ranjit Singh and Manpreet Singh, who were arrested, when they were in possession of the contraband, which is not permitted.

Notice of motion.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the

service of advance copy of petition, accepts notice on behalf of State of Punjab. Learned State counsel submits that co-accused Ranjit Singh and Manpreet Singh were arrested on the basis of a secret information and during investigation, it transpires that there were five people, who were involved in bringing the intoxicant tablets. The five people include the petitioner as well. Learned counsel for the State further submits that the four people have already been arrested but the present petitioner is trying to evade the arrest so as to hamper the investigation.

Learned State counsel also submits that custodial interrogation of the petitioner is necessary to find out the truth with regard to the securing and selling of the prohibited substance.

I have heard learned counsel for the parties and have also gone through the case file.

Merely that the petitioner was not arrested when co-accused, namely, Ranjit Singh and Manpreet Singh were arrested, is no ground to grant the anticipatory bail. In the investigation, the name of the petitioner has come and the custodial interrogation of the petitioner is necessary to find out the truth with regard to procuring and selling of the prohibited substance.

No ground is made out. Dismissed.

Nothing mentioned in this order will be taken as an expression of opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

June 08, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No