

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-17475-2020(O&M)

Date of Decision: 06.07.2020

Jagmeet Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Monty Goyal, Advocate for the petitioner.

Mr. S.P.S. Tinna, Addl. A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner has filed the instant petition under Section 438 Cr.P.C seeking anticipatory bail in case FIR No.0031 dated 17.5.2020 under sections 15, 21, 61, 85 of N.D.P.S Act registered at Police Station, Sudhar, District Ludhiana.

Counsel for the petitioner has vehemently argued that the alleged recovery is not from the petitioner but from co-accused namely Gurmail Singh, Baljit Singh and Avinder Singh. Further contended that the petitioner was not even present at the spot when the truck in question had been intercepted by the police party and under such circumstances petitioner is entitled to the concession of pre-arrest bail.

Having heard counsel for the petitioner at length, this Court is of the considered view that the prayer made in the instant petition does not merit acceptance.

As per prosecution version, upon secret information having been received the police party laid a *Naka* and two trucks bearing registration numbers PB-23-J-0595 and PB-13-Z-0936 were intercepted and a recovery of 210 kgs of poppy husk was effected.

During the course of arguments counsel does not dispute that the truck bearing registration no. PB-13-Z-0936 is under the ownership of the present petitioner. Even though, counsel has made an attempt to distance the petitioner from the allegations by submitting that the truck had been given to Gurmail Singh, his driver so as to ply the same but on such count also it has not been controverted that co-accused Gurmail Singh happens to be the real paternal uncle of the petitioner.

A heavy recovery has allegedly been made. The vehicle in question from where such recovery is stated to have been effected is in the ownership of the petitioner. It is a case where custodial interrogation of the petitioner may well be warranted to facilitate a detailed investigation in the matter as also the source of the contraband.

Prayer for pre-arrest bail is declined.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

06.07.2020
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No