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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24396-2020

Date of Decision 08.09.2020

Dalbir SinghPetitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. I.P.S.Kohli, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

...

MANJARI NEHRU KAUL, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.142 dated 15.07.2020 under sections 15, 61, 85 of the NDPS Act registered at Police Station Nangal, Roop Nagar.

Contentends that the petitioner has been falsely implicated in the instant case. Neither was he apprehended at the spot nor any recovery has been effected from him. He was nominated as an accused only because certain documents, photographs, copy of the Aadhar Card etc. belonging to the petitioner were recovered from the vehicle from which the alleged recovery of 105 kg. of poppy husk was effected.

Heard.

A perusal of the FIR reveals that the police had received a secret information that in front of Railway Station Nangal one 12 tyres truck bearing No. PB-12T-8866 was parked since many days. Further it was also specifically stated in the FIR that its driver i.e. the present petitioner had

concealed the contraband in the truck and was waiting for the customers.

Prima facie it cannot be said to be a case of false implication because the name of the petitioner figured in the secret information and thereafter when the raid was carried out the recovery of 105 kg. of poppy husk was indeed effected from the spot. Although the petitioner was not found at the spot but the documents found in the vehicle *prima facie* indicate his involvement in the offence in question.

In view of the above, no ground for grant of anticipatory bail to the petitioner is made out.

The petition is dismissed.

08.09.2020

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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No