

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.109

CRM-M-26432-2020

Date of decision : 7.9.2020

Sinderpal @ Sinderpal Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. F.S. Virk, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.116 dated 27.7.2020, registered at Police Station Ghagga, District Patiala, under Section 15 of the NDPS Act, 1985.

According to the FIR, secret information was received by the police that the petitioner is concealing some narcotic substance in his cattle shed and that, in case, raid is conducted recovery could be effected.

A raid was conducted in the presence of an independent witness and recovery of 5 Kg. of poppy husk was made.

Learned counsel for the petitioner argues that the independent witness is the brother of Ex-Sarpanch of the village. The petitioner has been falsely implicated on account of political rivalry, which is evident from the fact that there is no other criminal case pending against him.

I am unable to accept the submission made by learned counsel for the petitioner. A bald statement that the petitioner has been falsely implicated on account of political rivalry cannot be made a ground for granting anticipatory bail. Recovery has been effected in the presence of an independent witness from the cattle shed of the petitioner and thus, his custodial interrogation is necessary to establish the source of the contraband.

In view of the above, I do not find any merit in this petition and the same is dismissed.

(SUDHIR MITTAL)
JUDGE

7.9.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No