

CRM-M-55509-2019 (O&M)

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

**CRM-M-55509-2019 (O&M).
Decided on: January 07, 2020.**

Jajbir Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Dr.Puneet Kaur Sekhon, Advocate,
for the petitioner.**

Mr.M.S.Nagra, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C., the petitioner prays for the grant of anticipatory bail in case FIR No.161 dated 26.09.2019, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station, Gharinda, District Amritsar Rural.

Learned counsel for the petitioner has argued that the petitioner is innocent and has been falsely implicated in the case and since

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there is no recovery to be effected from the petitioner, as such, the petitioner is entitled to the concession of anticipatory bail.

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

A perusal of the file shows that on 26.9.2019, the police had arrested two persons namely Lovepreet Singh and Gurpreet Singh along with motorcycle bearing registration No.PB-02-CJ-5632 and 1 Kg. heroin was also recovered from the possession of accused Gurpreet Singh. During investigation of the case, it was revealed that said Gurpreet Singh and Lovepreet Singh had got the heroin from the petitioner. In such like cases where the backward chain is required to be established by the police and particularly in view of the fact that recovery of 1 Kg. heroin falls in the commercial quantity, the matter attains a serious note.

In view of above, no ground is made out for the grant of concession of anticipatory bail to the petitioner, and consequently, the petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

January 07, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No