

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.101

CRM-M No.18723 of 2021

Date of Decision: 13th May, 2021.

Harbans Singh @ Manga

...Petitioner

Versus

State of Punjab

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Ms. Manjot Kaur Advocate for
Mr. Satnam Singh Gill, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J. (ORAL)

Apprehending his arrest in the criminal case as registered at Police Station City Samana, District Patiala, vide FIR No.42 dated 27.02.2021 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act'), the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Shorn and short of unnecessary details, the allegations levelled against the petitioner in the said criminal case, are that on receipt of a secret information to the effect that the petitioner used to deal in the sale of intoxicant tablets and was selling the same while sitting in the street in front of the gate of his house, the police party headed to the said place for conducting raid but on seeing the policy party, the petitioner fled away from the spot leaving the polythene bag containing 500 intoxicant tablets labelled

as Clovidol-100 SR (Tramadol Hydrochloride) and the drug money to the tune to Rs.9880/-, there.

Notice of motion.

Ms. Samina Dhir, Deputy Advocate General, Punjab, who has joined the proceedings in this case in pursuance of the copy of this petition having been sent to the respondent-State in advance, accepts the notice on behalf of the respondent.

I have heard learned counsel appearing for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel appearing for the petitioner contends that the petitioner has been falsely implicated in this case as he was not even present at the spot at the time of the alleged recovery of the said tablets and the drug money and therefore, he deserves the benefit of anticipatory bail.

However, learned State counsel argues that the name of the petitioner finds specific mention in the formal FIR and he could not be arrested at the spot because on seeing the police party, he managed to flee away from there and even otherwise, he is involved in two more cases registered under the NDPS Act and Excise Act and in these circumstances, he does not deserve the relief as prayed for in this petition.

Keeping in view the facts that the petitioner has specifically been named as an accused in the FIR and that he had fled away from the spot on noticing the police party coming to the spot for conducting the raid and that besides the present case, he is involved in two more cases of the similar nature and also the quantity of the said tablets as allegedly recovered from

the spot, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail.

Resultantly, this petition is hereby dismissed.

(MEENAKSHI I. MEHTA)
JUDGE

13.05.2021.
seema

Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No