

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

**CRM-M-24354-2021**

**Date of decision-08.07.2021**

**Ravinder Kumar**

**....Petitioner**

**Vs.**

**State of Punjab**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Ms. Riffi Birla, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

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**MANOJ BAJAJ, J.**

Petitioner has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.68 dated 08.05.2021 under Section 15 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bahawwala, District Fazilka.

As per the prosecution case, on 08.05.2021, the police party was present at Bus Stand Sitto in connection with patrolling duty, a secret information was received that Narsi Ram and Ravinder Kumar (petitioner), who are engaged in business of supplying poppy husk, will come to Village Sitto on their motorcycle bearing No.PB-30-T-6923 with the contraband. Acting upon the same, raid was conducted at the disclosed place. Two persons riding on a motor-cycle were stopped, but the person sitting at the pillion ran away from the spot and driver of the motor-cycle was apprehended, who disclosed his name as Narsi

Ram. On search, a plastic bag containing 10 kgs. poppy husk was recovered.

Learned counsel for the petitioner has argued that the alleged recovery of contraband falls under the ambit of non-commercial quantity. She further contends that the contraband was recovered from co-accused, namely, Narsi Ram, who was arrested on the spot. According to her, petitioner was not arrested from the spot and according to the prosecution, he ran away from the spot. She has prayed for grant of anticipatory bail to the petitioner.

On the other hand, prayer is opposed by learned State counsel who is assisted by ASI Devinder Kumar, on the ground that the petitioner is owner of the said vehicle and the alleged contraband was found from the motor cycle. Learned State counsel has argued that merely because the petitioner managed to escape from the place of recovery, it cannot be said that he is not involved in the crime.

After hearing learned counsel for the parties, this Court is of the opinion that the allegations and the nature of offences are serious, therefore, without expressing any opinion on the merits of the case, this Court does not find it to be a fit case for extending the extraordinary concession of pre arrest bail to the petitioner.

Dismissed.

**(MANOJ BAJAJ)**  
**JUDGE**

**08.07.2021**

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