

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23421-2021

Date of decision: - 18.06.2021

Jatinder Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Varinder Basa, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.45 dated 01.05.2021, under Sections 22 and 29 (subsequently added) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Mattewal, District Amritsar.

Learned counsel for the petitioner argues that the petitioner has been nominated on the disclosure statement of co-accused Surjeet Kaur. Learned counsel for the petitioner submits that the petitioner has nothing to do with the allegations and there is an enmity between the

petitioner and Surjeet Kaur and therefore, the petitioner has been falsely implicated by the co-accused in the present case.

Notice of motion.

Mr. Sandeep Singh Deol, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel submits that co-accused Surjeet Kaur, from whom the commercial quantity of contraband was recovered, has stated that the same was purchased by her from the petitioner and therefore, the factum of purchase of the contraband from the petitioner and how petitioner acquired those intoxicant tablets is to be unearth for which the custodial interrogation of the petitioner is necessary. Learned State counsel further submits that the petitioner is a habitual offender and there are other five FIRs registered against him.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

On being asked that on what account petitioner is alleging enmity between him and co-accused Surjeet Kaur, learned counsel for the petitioner failed to substantiate any enmity and did not state even a single fact, which constitute enmity between petitioner and co-accused Surjeet Kaur due to which Surjeet Kaur will falsely implicated the petitioner.

Keeping in view the facts and circumstances of the present case where the facts are to be unearth as to from where the contraband was procured by the petitioner, allegedly sold to the co-accused Surjeet Kaur custodial interrogation of the petitioner is needed as the drug abuse

is spreading its wings and the same needs to be dealt with sternly. Further, it has not been denied by learned counsel for the petitioner that there are other five FIRs pending against the petitioner, which shows that he is a habitual offender.

Keeping in view the above, no ground is made out to grant the petitioner the benefit of anticipatory bail.

No other argument is raised.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

June 18, 2021
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Whether reasoned/speaking?	Yes
Whether reportable?	No