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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.39791 of 2020 (O&M)

Date of decision: 15.01.2021

Rajbir Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashok Giri, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.126 dated 01.08.2019 registered under Sections 21/29 of the NDPS Act at Police Station Sadar Kapurthala, District Kapurthala.

Counsel for the petitioners has argued that as per the allegations in the FIR, the co-accused Kapil Arora was apprehended with 05 Kgs of Heroin as he was to deliver the same to 05 persons, who were sitting in a car. It is further stated that he was arrested before he could have handed over the consignment to the persons sitting in the car, who ran away from the spot. As per the further case of the prosecution that the petitioner – Rajbir was driving the said car whereas the petitioner No.2 was sitting with the other occupant of the car.

Reply by way of affidavit of the Deputy Superintendent of Police (Investigation), Kapurthala, District Kapurthala, filed in the Court is taken on record and as per the reply, the petitioners were

CASE HEARD THROUGH VIDEO CONFERENCING

declared proclaimed offenders on 10.02.2020 by ACJM, Kapurthala, and the petitioner – Rajbir Singh is involved in one more case i.e. FIR No.01 dated 09.01.2019 registered under Sections 21/29/61/85 of the NDPS Act, at Police Station Sadar Nokodar, District Jalandhar.

Counsel for the State has also submitted that even petitioner No.2 is also involved in 02 more FIRs registered under the NDPS Act and therefore, in view of their conduct, they are not entitled to concession of anticipatory bail.

After hearing the counsel for the parties, considering the allegations against the petitioners and also in view of the fact that they are already declared proclaimed offenders, I find no ground to grant anticipatory bail.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

15.01.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No