

(Through Video Conferencing)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 46862 of 2021

Date of Decision: 24.11.2021

Mohd.Rauf

...Petitioner

Versus

State of Punjab

...Respondents

CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr.Anil K.Sagar, Advocate for the petitioner

Mr.C.L.Pawar, Sr.Deputy Advocate General, Punjab

ASHOK KUMAR VERMA, J.

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.194 dated 25.09.2019 under Sections 18, 25 of the NDPS Act, 1985 registered at Police Station City Jagraon, District Ludhiana.

Learned counsel for the petitioners, *inter alia*, submits that the petitioner has been falsely implicated in this case. The petitioner is not named in the FIR. Four co-accused who have been specifically named in the FIR have already been granted concession of regular bail by this Court. Challan has already been presented against all the four accused who are named in the FIR and who are alleged to have been arrested alongwith opium and now the police wants to implicate the petitioner in this case merely on the premise that the I-20 car is registered in the name of the petitioner. The said car has already been sold to co-accused Jaswant Singh @ Jassa much prior to the registration of the FIR, but said purchaser has not got transferred the said vehicle in his name and now the petitioner has no concern with the said car. No other case is registered against the petitioner. Moreover, nothing

is to be recovered from the petitioner. He is ready and willing to join investigation.

Notice of motion.

On the asking of the Court, Mr.C.L.Pawar, Sr.Deputy Advocate General, Punjab accepts notice on behalf of the State of Punjab.

Learned counsel for the State vehemently opposes the grant of anticipatory bail to the petitioner on the ground that the vehicle used in the offence is registered in the name of the petitioner.

I have heard learned counsel for the parties and gone through the paper-book. Apparently, the petitioner is not named in the FIR and even no challan has been filed against him and nothing is to be recovered from him.

Considering overall facts and circumstances of the present case, this petition is disposed of with a direction to the petitioner to join investigation within 10 days and remain present for investigation, as and when called for. In the event of his arrest, the petitioner shall be released on bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the conditions as specified under Section 438 (2) Cr.P.C.

(ASHOK KUMAR VERMA)
JUDGE

24.11.2021
MFK

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No