

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

**Criminal Misc. No.M-13511 of 2022(O&M)
Date of Decision: May 27, 2022**

Bhupinder Singh @ Laddi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.D.S.Pheruman, Advocate for the petitioner.
Mr. B.S. Sewak Additional Advocate General, Punjab

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HARINDER SINGH SIDHU, J.

The petitioner has sought regular bail in case FIR No.105 dated 08.07.2021 under Sections 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act registered at P.S Sadar, Tarn Taran, District Tarn Taran.

The version of the prosecution is that on 08.07.2021, SI Satnam Singh along with ASI Narinder Pal Singh, ASI Kartar Singh and other members of the police party were on patrolling. A secret information was received that Bhupinder Singh (petitioner) and co-accused Gursahib Singh @ Sabha who had their residential house in the field were engaged in selling of Heroin on a large scale. They were going to their house on a motorcycle. If raid is conducted at their farm house, they could be apprehended along with Heroin. On receipt of this information, a Police party started for the farm house. When they reached near the farm house, they saw two persons trying to escape on a motorcycle.

They were apprehended. Co-accused Gursahib Singh was the rider and the

petitioner Bhupender was the pillion rider. Both of them were informed of their legal right to be searched by a Magistrate or a gazetted officer. Thereafter, DSP Ramandeep Singh Bhuller reached the spot. He disclosed his identity and informed them of their right to be searched by a gazetted officer or a Magistrate. After obtaining their consent memo, search was conducted in his presence and 315 grams of heroin was recovered from the polythene bag which the petitioner was holding in his right hand. The motorcycle bearing Reg.No.PB-01-EB-2956 was also taken into possession.

Mr. Pheruman, Ld. counsel for the petitioner has argued that the allegations are totally false. Sonia wife of the petitioner had submitted an application before the Deputy Commissioner of Police, Taran Tarn at 3.20 PM on 08.07.2021, wherein, she had stated that Bhupender Singh (petitioner) had been arrested by the police officials on the previous day and had been taken away to an undisclosed place. She had also visited the office of CIA Staff but was abused by the police officials and the whereabouts of her husband were not disclosed to her. No action was taken on her complaint which was forwarded to police station Tarn Taran only on 19.07.2021.

Mr.B.S.Sewak, Ld. Additional Advocate General, Punjab contended that no such application was submitted. An application by Sonia was received in the office of SP, Tarn Taran on 19.07.2021 much after the arrest of her husband (petitioner) and the recovery of the contraband on 08.07.2021.

This plea was also raised before the Ld. Judge, Special Court, Tarn Taran and was found to be without merit. The Ld. Special Judge also recorded that *“it is not for the first time that he was found to be dealing with narcotics as three more FIRs stand registered against him and it is a common modus operandi of such accused persons to create such types of false documents to*

The recovery is of commercial quantity. The search was conducted in the presence of a gazetted officer and recovery effected from the polythene bag which the petitioner was carrying.

No ground is made out for grant of bail to the petitioner, at this stage.

Dismissed.

May 27, 2022

(HARINDER SINGH SIDHU)
JUDGE

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Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No