

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-30996-2022

Date of decision : 28.7.2022

Sudagar Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Mandeep Kumar Dhot, Advocate,
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.117 dated 17.5.2022 registered under Sections 15 and 29 (added later on) of NDPS Act at Police Station Amargarh, District Malerkotla.

Counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case on the basis of the alleged disclosure made by co-accused Gurpreet Singh. He further contends that the petitioner was not named in the FIR and as per allegations appearing on record, 60 KG of poppy husk was recovered from the car in which co-accused Gurpreet Singh was traveling. He further submits that the petitioner is ready to join the investigation.

State counsel while opposing the present petition submits that the petitioner has been arraigned as accused on the basis of the disclosure

made by co-accused Gurpreet Singh from whom the police recovered 60 KG of poppy husk. She further submits that the petitioner is already involved in two other cases under NDPS Act.

I have considered the submissions made by the counsel for the parties.

No doubt, the petitioner was not named in the FIR but he was named by co-accused Gurpreet Singh from whom the police recovered 60 KG of poppy husk which comes under commercial quantity of contraband. Further, the petitioner is already involved in two other criminal cases registered under NDPS Act.

In view of above, this Court is of the view that there is necessity of the custodial interrogation of the petitioner for proper and effective investigation of the case.

Consequently, the present petition is hereby dismissed. However, any observation made hereinabove is not to be considered as expression of opinion on the merits of the case.

(KARAMJIT SINGH)
JUDGE

July 28, 2022
Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No