

CRM-M-49651 of 2022

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

CRM-M-49651 of 2022
Date of decision: 28.10.2022

Bakshish Singh

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. JPS Chadha, Advocate, for the petitioner.
Mr. G.S. Sandhu, Deputy Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

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.0003 dated 02.01.2022 registered under Sections 15/29/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sujanpur, District Pathankot.

Brief facts of the case are that on 02.01.2022, 24 plastic bags containing six quintals (600 kilograms) of poppy husk were recovered from truck bearing registration No.PB-13-Z-8098 being occupied by Sarabjeet Singh @ Sabba and Sarabjeet Singh @ Sabi.

Learned counsel for the petitioner has contended that petitioner was not named in the FIR. He has been falsely implicated in the present case on the disclosure statement of his co-accused Sarabjit Singh @ Sabbi, which is a very weak type of evidence. Petitioner is innocent and has not committed any offence. Petitioner has no connection with the

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offending truck. No recovery has been effected from the petitioner. Petitioner is not required for custodial interrogation in the present case. He is ready to join the investigation as and when required by the investigating officer.

Per contra, learned State counsel opposed the petition for grant of anticipatory bail to the petitioner.

Perusal of the file shows that as per allegations levelled by co-accused Sarabjit Singh @ Sabbi, six quintals of poppy husk, which falls under the category of 'commercial quantity' was to be delivered to the petitioner in lieu of ₹3 lacs. Therefore, it appears that petitioner had an active role in transportation of six quintals of poppy husk recovered from the aforesaid truck. Moreover, petitioner is a habitual offender as he is involved in two more FIRs under the NDPS Act.

In view of above, petitioner is not entitled to the concession of anticipatory bail.

Dismissed.

October 28, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No