

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-51276 of 2022
Date of Decision:16.11.2022

Manpreet Singh @ Mannu

-----Petitioner

vs.

State of Punjab

-----Respondent

Coram: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Amit Arora, Advocate,
for the petitioner

Mr. J.P.Ratra, Sr. DAG, Punjab

JAGMOHAN BANSAL (ORAL)

Through instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner is seeking anticipatory bail in FIR No. 0097 dated 21.8.2022, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Navi Baradari, District Police Commissionerate, Jalandhar.

Learned counsel for the petitioner submits that petitioner has been implicated on the basis of statement of Prabhjeet @ Prabh and Avtar Singh @ Kala from whom 255 gms of heroin has been recovered. The petitioner was neither apprehended nor recovery has been effected from the petitioner. The statement of co-accused recorded by police is hit by Section 25 of the Indian Evidence Act.

There is recovery of 255 gms of heroine from co-accused who had specifically named the petitioner in their statements. In view of mandate of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, it would not be appropriate to extend concession of anticipatory

bail, at this stage.

Dismissed.

(JAGMOHAN BANSAL)
JUDGE

November 16, 2022
paramjit

Whether speaking or reasoned: Yes
Whether reportable :Yes/No