

2023:PHHC:120390

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

206-A

CRM-M-38235-2023 (O&M)

Date of Decision: 13.09.2023

MANJOT SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. CL Pawar, Additional AG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.133 dated 12.05.2023, registered under Sections 21, 27-A and 29 NDPS Act, 1985, at Police Station Special Task Force, District STF Wing, SAS Nagar, Mohali.

Learned counsel for the petitioner submits that the petitioner is a labourer and has nothing to do with the alleged recovery; that, on the basis of a secret information, the present FIR was lodged; that, as per the allegations, co-accused, namely, Gurjant Singh @ Janta, Vicky Singh and Arshbeer, had sold/handed over the contraband to the petitioner; that no recovery is to be effected from the petitioner; that recovery of 1.5 Kg heroin has already been effected from the field of co-accused, namely, Gurjant Singh and that on the disclosure statement of Gurjant Singh, further 100 grams heroin and Rs.30,000/- were recovered from his house; that Gurjant Singh was arrested on 16.05.2023. He further submits that

co-accused, namely, Arshbeer had already been granted anticipatory bail vide order dated 31.07.2023 passed by this Court. Still further, it is submitted that there is one more case of NDPS Act registered against the petitioner and in the said case the alleged recovery was of small quantity i.e. 15 grams Heroin and the petitioner is on bail.

Per contra, while opposing the prayer for grant of anticipatory bail to the petitioner, learned State counsel submits that Gurjant Singh, in his fields had found 1.5 Kg heroin and the same was handed over to the petitioner; that the said recovery is yet to be effected and therefore, the custodial interrogation of the petitioner is required.

I have heard the learned counsel for the parties.

The allegations against the petitioner are serious, specific and grave, inasmuch as, the contraband, which was found in the field of co-accused, namely, Gurjant Singh, was handed over to the petitioner by him. The said recovery is a commercial quantity and yet to be effected. Above all, the petitioner is facing one more case of similar nature and if granted anticipatory bail, the same would pave a way to him to involve himself in another similar offence. Thus, the custodial interrogation of the petitioner is must.

In view of the above, no ground is made out to grant the concession of anticipatory bail to the petitioner.

Dismissed.

13.09.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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