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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

—

CRM M 38526-2023
Date of Decision August 07, 2023

Kala Singh alias Kalu

.....*Petitioner*

versus

State of Punjab

..Respondent

Coram Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Gautam Kumar, Advocate for the petitioner

—

Rajbir Sehrawat, J, (Oral)

This is a second petition filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 69 dated 19.05.2023, registered under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Dhuri, District Sangrur.

It is submitted by counsel for the petitioner that case against the petitioner is totally false, frivolous and concocted. Even as per story of the prosecution, the name of the petitioner has surfaced during interrogation and disclosure statement of the co-accused. As per the disclosure, the petitioner is alleged to be the supplier of the contraband material recovered from the co-accused. Except the said disclosure statement, there is nothing against the petitioner so as to connect him in the present crime. Therefore, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab

accepts notice on behalf of the respondent – State.

Counsel for the State, being instructed by ASI Gurdeep Singh, Police Station Sadar Dhuri, Sangrur has submitted that the name of the petitioner has come up during interrogation of the co-accused from whom a huge quantity of 134 *tramadol hydrochloride* tablets have been recovered in this case. Not only that, there are as many as eight cases, out of which six cases under the NDPS, are pending against the petitioner. Therefore, the petitioner is the habitual of committing such kind of crime. The police are to unearth the true dimensions of the crime committed by the petitioner and as such, custodial interrogation of the petitioner is imperative in the case.

In view of the aforementioned facts and circumstances of the case, as well as, submissions made by counsel for the State, this Court does not find it appropriate to interfere in the matter so as to grant the concession of anticipatory bail to the petitioner.

Dismissed.

(Rajbir Sehrawat)
Judge

August 07, 2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No