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

**CRM-M-40044 OF 2023 (O&M)
DATE OF DECISION: 04.10.2023**

Sucha Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Vikas Gupta, Advocate,
For the petitioner.

Mr. Mohit Thakur, AAG, Punjab.

ARUN MONGA, J. (ORAL)

Learned State counsel, in the course of hearing, has tendered status report dated 04.10.2023 by way of affidavit of Shri Jaspal Singh Dhillon, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran.

2. Petition herein is for grant of anticipatory bail to the petitioner in case FIR No.10 dated 19.03.2022, registered under Section 15 (c) of NDPS Act, 1985 at Police Station Harike, District Tarn Taran.

3. Per prosecution, on 19.03.2022, police party received a secret information that petitioner had taken land on lease of his brother and sown poppy husk crop in some portion of land and if raid be conducted, he can be apprehended. *Ruqa* was sent and investigation was carried out. Raid was conducted and 85 kilograms of green plants of poppy husk were recovered from the said land.

4. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. The place from where alleged recovery has been effected does not belong to petitioner. No independent witness has been joined by the police party. Investigation against the petitioner is already complete and challan has been presented. It is further contended that petitioner is a 73-year old senior citizen.

5. Per contra, learned State counsel submits that petitioner has been rightly declined the concession of anticipatory bail. He further contends that petitioner was granted interim bail by the Court of learned Additional Sessions Judge, Tarn Taran vide order dated 20.05.2023 till the receipt of FSL report. Later FSL report was received wherein it was found that the salt contained in the parcels is having ingredients of “Alkaloids and Meconic Acid”. Learned State counsel further contends that challan along with FSL report was presented on 27.10.2022. After presentation of challan, petitioner failed to appear in Court and his bail/surety bonds were rightly cancelled on 01.11.2022.

6. I have heard rival contentions of learned counsels for parties and have gone through the case file carefully.

7. Perusal of the status report reveals that petitioner has already misused the concession of interim bail granted to him by learned trial Court. It appears that he is intentionally evading the Court proceedings just to delay the trial.

8. In view of the above, no ground for grant of anticipatory bail is made out.

9. Dismissed.

OCTOBER 04, 2023
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No