

106 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:130122  
CRM-M-50708-2023  
Date of Decision: October 07, 2023

Balwinder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rohit Lubana, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.199, dated 01.12.2022, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act'), registered at Police Station Macchiwara, District Ludhiana.

Allegations are that 100 Kg. of poppy husk was recovered from one Jasdev Singh carried in a car. Said car is registered in the name of Simranjit Kaur. During disclosure statement, Jasdev Singh disclosed that he owned a truck on which petitioner was a driver and said petitioner used to bring contraband from Madhya Pradesh and unload it at a *dhaba*.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR; that no recovery was effected from him; that the case against him is based upon the disclosure statement and that the petitioner is ready to join the investigation.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of respondent-State.

Learned State counsel has drawn attention towards para No.13 of the petition, revealing that the petitioner is involved in one more case of the similar nature i.e. NDPS Act registered at Police Station Udhampur, Jammu.

Considering the criminal antecedent of the petitioner, his custodial interrogation may be necessary to know the origin of the contraband.

Dismissed.

**October 07, 2023**

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**(DEEPAK GUPTA)**  
**JUDGE**

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