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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M 53577-2023
Date of Decision 20.10.2023*Satru Singh**.....Petitioner**versus**State of Punjab**...Respondent***Coram Hon'ble Mr. Justice Rajbir Sehrawat**

-.-

Present: Mr. Mikhail Kad, Advocate for the petitioner

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Rajbir Sehrawat, J, (Oral)

The present petition has been 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. 34 dated 20.02.2023, registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Bhawanigarh, District Sangrur (Annexure P-1).

It is submitted by counsel for the petitioner that the case against the petitioner is totally false, frivolous and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, the name of the petitioner has surfaced in the case only through the disclosure statement of the co-accused, from whom 10 grams of heroin were recovered. Beside this, there is nothing with the police to connect the petitioner with the alleged recovery of contraband material from the co-accused. The petitioner shall join the investigation as and when called for by the police. Hence, 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 Manjit Singh has submitted that the petitioner is directly involved in the crime in the present case. The name of the petitioner has surfaced during interrogation of the co-accused, from whom 10 grams of heroin have been recovered. The said co-accused is none other than the wife of the present petitioner. Therefore, there is no reason, not to believe the co-accused, at this stage. Moreover, there are as many as six more cases of similar nature under the NDPS Act, pending against the petitioner. The investigation is at the initial stage. Therefore, the police need custodial interrogation of the petitioner to unearth the true dimensions of involvement of the petitioner in the drugs peddling, as well as, his involvement in the present crime. Therefore, the petitioner does not deserve to be protected against his arrest.

In view of the facts and circumstances available in the present 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 concession of anticipatory bail to the petitioner.

Dismissed.

(Rajbir Sehrawat)
Judge

October 20, 2023
mohan bimbura

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No