

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

102. CRM-M No.8942 of 2024 (O&M)
Date of Decision:26.02.2024

Sajan Preet Singh @ Sajan ... Petitioner

Versus

State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gagandeep Singh Simble, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.106 dated 21.12.2023 registered under Section 21 (B) of the NDPS Act, 1985 (Section 29 of the NDPS Act added later on) at Police Station Division C, District Police Commissionerate, Amritsar.
2. Learned counsel appearing for the petitioner *inter alia* contends that the petitioner is not named in the FIR. There is nothing on record to prove his conscious possession over the contraband, which is admittedly recovered from the possession of co-accused Balraj Singh. He has been nominated as an accused in the present case only on the basis of disclosure statement suffered by the co-accused, which has no evidentiary value in the eyes of law.
3. Per contra, Mr. Sandeep Kumar, DAG, Punjab, who appears on advance notice, on instructions from ASI Mela Singh submits that the petitioner is not entitled to concession of anticipatory bail, as he is involved in one more case under the NDPS Act. The petitioner is a habitual offender and the co-

accused had procured the contraband from him and therefore, he is alleged supplier of the contraband.

4. Having heard learned counsel for the parties and after perusing the record, this Court finds no ground to grant anticipatory bail to the petitioner, in view of the law laid down by the Hon’ble Supreme Court in *State by the Inspector of Police Vs. B. Ramu* passed in SLP (Crl.) No.8137 of 2022 decided on 12.02.2024.

5. Dismissed.

(HARPREET SINGH BRAR)
JUDGE

February 26, 2024
Pankaj*

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