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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM M-10386-2024 (O&M)

Date of Decision: 04.04.2024

Piara Singh

.....Petitioner

Versus

Narcotics Control Bureau

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Navjinder S. Sidhu, Advocate,
for the petitioner.

Ms.GurmeetKaur Gill, Senior Panel Counsel,
for the respondent-NCB.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 for seeking pre-arrest bail in FIR No. 22 dated 03.08.2023 registered under Sections 8, 15 & 29 of Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station, NCB, Chandigarh Zone.

2. Brief facts of the case are that on secret information, a team of Narcotic Control Bureau, Chandigarh (for short 'NCB') intercepted two courier parcels dated 30.07.2023 at Safe Express Logistics Park (Godown), Village Payala, Ludhiana. The consignor of parcels was Rajesh Prasad Gupta, Dulmi, Puruliya, JargoPuruliya, West Bengal and the consignee was Piara Singh (petitioner). NCB effected seizure of 85.200 kgs of poppy husk from the abovementioned two parcels.

3. Learned counsel contends that petitioner is 80 years old and he has nothing to do with the alleged contraband; nor he has booked any consignment; rather he has been falsely implicated in the present case. Also submits that petitioner is ready to join the investigation, but he be protected.

4. *Per contra*, learned counsel for NCB opposed the prayer while submitting that on the basis of secret information, alleged contraband was recovered by the NCB and Mobile Number as well as Aadhar Card Number of the petitioner were mentioned by the consignor while sending the parcels. Also submits that petitioner is actively involved in the commission of crime. While referring to the disclosure made by co-accused Rajesh Prasad Gupta, submits that on earlier occasion also, many parcels were delivered to the petitioner on the same very address.

5. Heard learned counsel for the parties and perused the paper book.

6. Of course, at this stage, it is very difficult to give any definite opinion either way about the consignee; but it is discernible from the police file that Mobile Number as well as Aadhar Card Number of the petitioner were duly mentioned on the alleged parcels. Thus, *prima facie* complicity of the petitioner is apparent. Hence, in such a scenario, his custodial interrogation would be very much necessary to know the true facts.

7. In view of the above, there is no option, except to dismiss the present petition.

8. Ordered accordingly.

9. The above observations be not construed as an expression of opinion on the merits of the case in any manner.

10. Pending application(s), if any, shall also stand disposed off.

04.04.2024

SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No