

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-14559-2024
Date of Decision:-21.03.2024

Gurdev Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Ms. Ravinder Kaur Manaise, Advocate for the petitioner.
Ms. Harpriya Khaneka, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.79, dated 24.09.2023, under Sections 21 (C), 23, 25, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Kalanaur, District Gurdaspur.
2. Learned counsel for the petitioner submits that the petitioner was not named in the FIR and has been entangled in the present case only on the basis of disclosure statement of the main accused namely Jagpreet Singh. Learned counsel for the petitioner further submits that the petitioner has been wrongly nominated in this case under the name of Gurmej Singh, however, the name of the petitioner is Gurdev Singh, and he came to know about his implication in the present case only when the authorities raided his house.

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has been already investigating into and the statements of the residents of the area in which the petitioner resides has been recorded; the present petitioner is known by the name of Gurmej Singh @ Geja @ Dodhi in the said area and he is the same person that was disclosed by the main accused as the name of the father of Gurmej Singh is also same i.e. Chanchal Singh.

4. Learned State counsel has further stated that 12 kg 816 grams of heroin was recovered from the main accused namely Jagpreet Singh as he has links with the smugglers from the Indo-Pak border and the petitioner has been instrumental in sharing the location where the said contraband would be dropped and has been working as a carrier as per the disclosure statement.

5. At this stage, learned counsel for the petitioner submits that there is no other FIR lodged against the petitioner and he has clean antecedents and therefore, the *dicta* in the case of **Toofan Singh** will come to his rescue.

6. However, considering the seriousness and gravity of the offence, coupled with the fact that commercial quantity is involved and chain of supply and other *modus operandi* of the drug trade is yet to be ascertained and the investigation is at the initial stage, I do not find any ground to grant the extraordinary concession of anticipatory bail to the petitioner.

7. Accordingly, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

March 21, 2024
Parul