

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.16280 of 2024

Date of decision: 4th April, 2024

Sikander Singh @ Sikander

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Brijeshwar S. Bhalla, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.29 dated 18.02.2024 under Sections 21/27(a)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 25 of the Arms Act, 1959 registered at Police Station Lopoke, District Amritsar Rural.

2. Learned counsel for the petitioner inter alia contends that he has been falsely implicated in the instant case and thereafter, a false recovery of 500 grams of Heroin along with drug money in the sum of ₹1,51,000/- and 6 live cartridges was shown to have been effected from his house. While drawing the attention of this Court to the FIR, which has been annexed as Annexure P-1, learned counsel has further submitted that his false implication in the instant case finds credence from the fact that the mandatory provisions of the NDPS Act were not even complied with by the Investigating Agency as the secret information on the basis of which the FIR was registered, was neither

still further, been submitted that even otherwise, the recovery has been effected from his wife, with whom he has strained relations; he was not even present in his house when the alleged recoveries were affected. Learned counsel submits that since no recovery is required to be affected from the petitioner, he be extended the concession of anticipatory bail.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. A perusal of the FIR reveals that a specific secret information had been received qua the involvement of the petitioner in the crime in question; pursuant to the secret information the police came to the house of the petitioner and recovered 500 grams of Heroin along with drug money as well as live cartridges. The recovery allegedly affected is huge and has been classified as commercial under the NDPS Act.

5. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner in the instant case. The petition stands dismissed in limine. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 4, 2024
rps

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