



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-41615-2024

Date of Decision:- 18.12.2024

Lalit Kumar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Naveen Sharma, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.(Oral)

1. Petitioner Lalit Kumar has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.100 dated 19.07.2024, under Section 21/29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Moti Nagar, District Ludhiana (Annexure P-1).
2. Brief facts of case are on 19.07.2024, ASI Jatinder Kumar along with police party received secret information regarding Harish Kumar alias Honey and Lalit Kumar alias Lucky that they were dealing with drug trafficking and on that day, they could be apprehended while coming to the park opposite Government College East, Moti Nagar, Ludhiana from Millerganj, Ludhiana for supplying heroin to his customer. Raid was conducted and Deepak Kumar was apprehended, having possession of 20 Gms. of heroin.



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3. Learned counsel for petitioner argued that no recovery was effected from petitioner. He is falsely implicated in this case. His arrest was stayed vide order dated 28.08.2024 and in pursuance of this, he has already joined investigation. He is still ready to abide by terms of bail order.

4. Bail petition is opposed by learned counsel representing State. It is pointed out that petitioner was specifically named by informer. He is involved in one more case under the provisions of IPC i.e. FIR No. 133 dt 31.7.2023 P.S Moti Nagar Ludhiana. However, he has joined investigation on 28.09.2024.

5. Considering the aforesaid factual position, it is clear that only Deepak was apprehended and from his possession alleged recovery of 20 Gms. of heroin was effected. Present petitioner was named by informer. However, he was not present on the spot nor any recovery is effected. He has already joined investigation. No purpose would be served by sending him behind the bars. Therefore, anticipatory bail petition filed by petitioner – Lalit Kumar is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

18.12.2024

*lalit***(AMARJOT BHATTI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No