

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-42445-2024
Date of decision:05.11.2024

LAKSHMAN SINGH @ GAGAN @ CHATRUPetitioner

Versus

STATE OF HARYANA ...Respondent

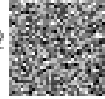
CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present : Mr. Munish Bhardwaj, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI. J.(Oral)

1. Lakshman Singh @ Gagan @ Chatru has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in FIR No.255 dated 23.12.2023, under Sections 21/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and Section 25 of Arms Act, registered at Police Station Odhan, District Sirsa.
2. As per the facts of the case, ASI Rajender Prasad along with Police party was going in connection with routine patrolling duty and on the way he received secret information that three boys are sitting in silver colour Skoda car in front of the Hairport Salon near Sirsa Road Petrol Pump and they were carrying illegal weapons. If the raid be conducted, they could be apprehended along with weapons. As per this information, raid was conducted and one Skoda car No.PB10-CK-7333 was spotted in which three boys namely Ravi Singh on driver seat, Angrez Singh on co-driver seat and Pargat Singh on back seat were sitting.



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Vehicle was searched and one .32 bore pistol was recovered from the arm rest between the two seats and one cartridge was recovered from its chamber. They could not produce any permit or licence for carrying the weapons. During further search heroin/Chitta was recovered from the dash-board of the car which came out to be 03 grams. On the basis of this recovery, present FIR was registered.

3. Learned counsel for the petitioner argued that he was not apprehended on the spot. In fact he was subsequently named by them and he has already joined the investigation. Petitioner is ready to abide by the terms and conditions of bail order.

4. Status report filed by the respondent-State is taken on record. It is conceded that present petitioner was not arrested on the spot. He was named subsequently, however, he is involved in as many as 05 other cases detailed in para 8 of the status report. Learned counsel representing State has pointed out that petitioner has not disclosed the name of the person from whom arms and heroin were purchased, therefore, his custodial interrogation is required.

5. I have considered the arguments and have gone through the record. Present petitioner was neither apprehended on the spot nor any recovery was effected from him. He has already joined the investigation and is not involved in any other FIR registered under NDPS Act. Other cases detailed in the status report will be decided on its own merits.

6. In the light of the aforesaid facts, without going into the merits of the case, anticipatory bail application filed by the petitioner 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 the 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 438(2) Cr.P.C.

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

05.11.2024
amandeep

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No