

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

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**CRM-M-49008-2024
Date of Decision : November 07, 2024**

PARSHAN SINGH **-PETITIONER**

V/S

STATE OF PUNJAB **-RESPONDENT**

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., prayer is made for grant of anticipatory bail to the petitioner, in case FIR No.120 dated 06.08.2024, under Section 15(C) of the N.D.P.S. Act, 1985 (Section 27 of the Arms Act, 1959, added subsequently), registered at P.S. Special Task Force, District STF Wing.
2. The learned counsel for the petitioner submits that, the house wherefrom the alleged contraband was recovered, does not belong to the petitioner, rather he has been falsely implicated in the present case. He further submits that, although the petitioner has taken about 20 acres of land on lease from its real owner Gurpal Singh, however, the house (supra), which consists 4-5 rooms and is constructed in the adjoining land, has been in possession of the real owner himself and the petitioner has no concern with the said house. Concluding his arguments, he submits that the petitioner has clean antecedents and he is not involved in any

other criminal case.

3. This Court has heard the submissions made by the learned counsel for the petitioner and also perused the record.

4. Succinctly stated, the genesis of the present FIR is embodied in a secret information, to the effect that, the petitioner has taken agricultural land on lease from Gurpal Singh and in that land, a house containing 4/5 rooms and a portion of first floor has been constructed. It was further informed that, the petitioner is doing illegal work of poppy husk and he has been using the said rooms for storing poppy husk. On the basis of this secret information, a raid was conducted and 183 kgs 500 grams of poppy husk and one locally made 12 bore pistol was recovered from the rooms (supra).

5. Insofar as role of the petitioner is concerned, the short reply dated 13.10.2024, as became furnished by the respondent-State, clearly states that, during the course of investigation, it has surfaced that the petitioner was the one, who was storing the poppy husk in the rooms constructed on the land taken on lease by him. The relevant paragraph of the short reply is reproduced hereunder:-

“9. That further it is submitted that the petitioner is trying to twist the facts to his advantage by stating that the recovery made from the leased premises of the petitioner, has been made from the rooms which were in control of the owner namely Gurpal Singh. However, it is submitted that during investigation it has come on record that the present petitioner was the one storing the poppy husk for further supply in the rooms constructed on the land leased by the petitioner.”

6. Consequently, in view of:- (i) the specific allegations against

the petitioner; (ii) the recovered contraband falling within the ambit of “commercial quantity”; and (iii) the settled position of law that liberal approach in the matters related to the Narcotic Drugs and Psychotropic Substances is uncalled for; this Court is not inclined to grant the extraordinary relief of anticipatory bail to the petitioner.

7. In summa, the instant petition is **dismissed**.

November 07, 2024
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(KULDEEP TIWARI)
JUDGE

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