



CRM-M-51558-2024

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

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Date of Decision:- 03.12.2024

Surinder Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

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

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

AMARJOT BHATTI, J.

1. Petitioner Surinder Singh has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.82 dated 08.09.2024, under Sections 21, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Khuhi Khera, District Fazilka (Annexure P-1).

2. As per facts of the case, on 08.09.2024 ASI Iqbal Singh and police party apprehended one Swift car near the drain FF Road near village Khuhi Khera. One of the person Gurmish Singh alias Babbu was apprehended on the spot whereas the person driving the car namely Surinder Singh managed to escape. CIA cum Anti-Narcotic Cell, Abohar was told to reach on the spot. Search was conducted as per rules and blue coloured polythene bag was recovered near the gear box from which 338 grams of heroin was recovered. Apart from this, from the said car wallet of present petitioner was also recovered.

3. Learned counsel for petitioner argued that the said Swift car

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bearing registration No.DL-3CBC-0303 was owned by him. It was borrowed by the co-accused Gurmish Singh alias Babbu. Since the car belonged to him, therefore his wallet was lying in it. Stand taken by the prosecution that present petitioner managed to escape in the presence of police party does not hold any ground. He is ready to join the investigation. Therefore, his anticipatory bail application may be allowed.

4. Learned counsel representing State opposed the bail petition. Status report has been filed which is taken on record. He pointed out that present petitioner managed to escape from there who was duly identified. It is a case of recovery of commercial quantity of contraband. Custodial interrogation of the present petitioner is required. Therefore, he is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. As per the contents of FIR, it is clear that present petitioner allegedly managed to escape but he was duly identified on the spot. Co-accused Gurmish Singh alias Babbu was apprehended on the spot. It is a case of recovery of 338 grams of heroin which falls in commercial quantity.

Considering the gravity of offence and specific attribution, he is not entitled to be released on anticipatory bail. Custodial interrogation is also required. Therefore, I do not find a fit case for grant of anticipatory bail and the same is accordingly declined.

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

03.12.2024*Sunil Devi***(AMARJOT BHATTI)
JUDGE**

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