

2025:PHHC:047631



143.

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

CRM-M-19357-2025

Date of decision: 07.04.2025

Suraj Bhan @ Suraj Ram @ Suraja Pandit

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arpinder Singh Sidhu, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS, 2023/438 of Cr.P.C., in case FIR No.121, dated 27.09.2023, under Sections 18, 29 of NDPS Act, 1985, registered at Police Station Moonak, District Sangrur.

2. Learned counsel for the petitioner contends that highly improbable version has been brought forth in the FIR in question that the petitioner managed to escape when he along with the co-accused was intercepted by the police following an alleged secret information received qua the involvement of the accused in the transportation of narcotic substances. Learned counsel has submitted that as per the case of the prosecution, the petitioner was identified by one police official i.e. Head Constable Jiwan Lal, who claimed that the petitioner was acquainted with

him on account of his involvement in some other criminal cases. However, learned counsel asserts that the petitioner has no previous criminal antecedents which points to his false implication in the present case. Learned counsel has further submitted that two other co-accused, Jamna Singh @ Jamna and Ram Niwas @ Niwasa Pandit, after being intercepted, had got a recovery of 5 kgs of opium effected from the car in which all the accused were alleged to be travelling together; the car was not even in the name of the petitioner.

3. I have heard learned counsel and perused the material placed on record.

4. The petitioner was named along with the co-accused in a specific secret information received, following which, the petitioner and other co-accused while travelling together in a car were ordered to stop by the police, however, the petitioner managed to escape from the place of alleged occurrence/recovery. Prima facie, the petitioner's involvement in the present case cannot be ruled out in view of his fleeing away from the spot; it prima facie indicates that he was conscious of the contraband which was being transported in the vehicle in question. Moreover, the alleged recovery effected from the petitioner is huge and stands classified as 'commercial' under the NDPS Act.

5. In view of the foregoing discussion, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

6. Present petition stands dismissed accordingly.
7. 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, 07, 2025
sanjeev

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