

CNR NO. PBSG01-010250-2019

BA - 3352-2019

Karamjit Singh Versus State

FIR No.98 dated 07.10.2019.

Case u/s 22/29/61/85 NDPS Act.

Police Station: Cheema, District Sangrur.

Application for bail u/s 438 Criminal Procedure Code.

Present: Shri G. P. Sharma, Advocate, counsel for the accused-applicant Karamjit Singh.
Shri Mahesh Goel, Additional Public Prosecutor for the State.

ORDER:

This is an application for seeking anticipatory bail under Section 438 Criminal Procedure Code filed by accused-applicant in the aforesaid case.

2. Upon notice, the learned Additional PP for the State, made appearance on behalf of the State and got produced the record.

3. I have heard the learned Counsel for applicant, Additional PP for the State and also perused the record.

4. It is submitted in the application as well as argued by the learned counsel that he has been falsely implicated in the present case. Nothing has been recovered from him. He was not present at the spot. He has been nominated on the basis of statement of co-accused. His custodial interrogation is not required. The conclusion of trial will take sufficient long time and no useful purpose would be served by sending the accused in custody. The police is raiding the house of applicant to arrest him. He is

ready to join the investigation as and when so directed and will abide by all the conditions imposed by the Court. Hence, the prayer for relief of anticipatory bail.

5. On the other hand, while controverting his contentions, the learned Additional PP for the State has vehemently argued that as the accused is involved in a case of recovery of narcotic substance, he does not deserve the leniency of the Court in grant of relief of bail.

6. As per the prosecution version, on 07.10.2019, ASI Hardev Singh received a tip off regarding indulgence of accused Kuldeep Singh in sale of narcotic tablets near his house. Thereafter, raid was conducted. He was nabbed and from his possession, 7000 intoxicating tablets of Lomotil were recovered. During interrogation, he disclosed the name of Gora Singh son of Chand Singh as his accomplice. In this manner, the secret information gets substantiated during investigation.

7. As is transpired from the above discussion, the applicant is alleged to be involved in sale of narcotic in an illegal manner. Though, So far the plea of defence is concerned, it is too early to jump to any conclusion. The matter is yet pending investigation and the version of the prosecution cannot be outrightly rejected at this stage. Now a days drug menace has become social malady and it has attained monstrous proportion and it is tearing families apart. The need of the hour is to choke the supply of the drugs and to curb it with heady hands. Not only the supplier, but also the drug addicts are to be dealt with deterrently. His custodial interrogation is

required to find the genesis of crime and unravel the truth. The gravity of the offence and seriousness of allegations make the accused dis-entitled for the grant of discretionary relief of anticipatory bail. Hence, without expressing any opinion on the merits of the case, this Court does not deem it fit to grant the concession of anticipatory bail to the accused-applicant. Consequently, the bail application is, hereby, **dismissed**.

Police record be returned. Bail papers be consigned to the Record Room, Sangrur.

Announced in open Court.

Dated: 22.10.2019.

Rajiv Kumar, JW.

Dr. Rajneesh
Judge Special Court, Sangrur
(UID-PB0172)

Certified that the order has been directly dictated by the undersigned.

Dr. Rajneesh
Judge Special Court, Sangrur
(UID-PB0172) 22.10.2019.