

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-24011-2015

Date of decision: December 14, 2015

Rajnish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Krishan Sehajpal, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Section 22/27/29/61/85 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Bullowal, District Hoshiarpur, vide FIR No.70 dated 25.06.2015.

Learned counsel for the petitioner has argued that petitioner has been arraigned as accused on the basis of statement of co-accused. Their evidence is inadmissible. There is nothing on record to connect the petitioner with the crime. He is, thus, entitled to concession of pre-arrest bail.

Learned State counsel has opposed the prayer. He has referred to statements of Mohinder Kaur and Manjit Kaur recorded by the investigating agency. They stated that contraband was being supplied to them by the petitioner. They used to pay him Rs.4500/- and further sell it

for Rs.6500/- per gram. According to him, departmental action has been taken against the petitioner and he has been dismissed from service.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

A secret information was received by the police that Manjit Kaur and her mother Mohinder Kaur were selling intoxicating powder. Raid was conducted and both were nabbed. During investigation they disclosed that intoxicating powder was being supplied to them by accused Rajnish Kumar (petitioner herein). Under the circumstances, no case for grant of pre-arrest bail is made out.

Dismissed.

(RAJAN GUPTA)
JUDGE

December 14, 2015
'Rajpal'