

*IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.*

Cr.Misc. M 41458 of 2014  
Date of decision:- 21.1.2015

Ravi @ Anil chauhan

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. Dharmender Bhan, Advocate.  
Mr. JS Brar, AAG, Punjab

**M.M.S.BEDI,J.**

The petitioner seeks the concession of regular bail in a case registered at the instance of Inspector Avtar Singh, on the basis of a secret information, to the effect that a gang of persons, named in the FIR, indulged in purchasing chemicals like Pseudoephedrine and Catamine from pharmaceutical companies to prepare ice, heroin and also indulged in the smuggling of the drugs in different states of the country by illegal means. The petitioner was involved in the case on the basis of the statement of co-accused Devinder Singh, who disclosed that the petitioner had also been a member of their gang. On the basis of the statement of Devinder Singh recorded on 8.1.2014, the petitioner was arrested on 29.1.2014 from Goa. The petitioner while in custody allegedly made a disclosure statement u/s 27 of the Evidence Act to the effect that he had concealed 10 kgs of Pseudoephedrine and 750 grams of intoxicating powder under the bushes near the drain, Sector 22, Panchkula. On the basis of that statement, the petitioner allegedly led the police party to the spot and got recovered the above said psychotropic substances on 6.2.2014. So far

as Pseudoephedrine is concerned, it is a controlled substance and no commercial quantity is prescribed for the same. So far as the recovery, effected after the arrest of the petitioner, on the basis of the statement u/s 27 of the Evidence Act, is concerned, it will certainly be a debatable issue whether the recovery of Dextropropoxyphene, which is claimed to be a commercial quantity, was actually recovered. Co-accused of the petitioner Devinder Singh, Ajay Jain, Harang Tin Khara, Varinder Singh and Sanjay Goel, similarly circumstanced, on the basis of recovery effected in similar manner, have been granted the concession of bail by this court.

The petitioner has been in custody since 29.1.2014.

Learned State counsel has opposed the petition contending that the petitioner is a proclaimed offender in another case under the NDPS Act and is required to be arrested.

I have considered the said contention of the learned State counsel. Without prejudice to the right of the prosecution agency to take any legal action against the petitioner in the other criminal case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the Special Court, Patiala subject to the condition that the petitioner will not indulge in the similar activity during pendency of the trial and will not leave India without the permission of the court.

January 21 , 2015  
TSM

**( M.M.S.BEDI )**  
JUDGE