

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

**CRM-M No.910 of 2016 (O&M)
Date of Decision: 08.04.2016**

Naveen @ Babbu

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Munish Kumar Garg, Advocate for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Kavar Pal.

JASWANT SINGH, J. (Oral)

Present 3rd petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Naveen @ Babbu in case FIR No.203 dated 21.03.2015 for the offences punishable under Sections 20/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Nuh, District Mewat.

In the earlier bail application seeking regular bail, the following order was passed by this Court on 08.12.2015 (**Annexure P-3**):-

“ Prayer is for grant of regular bail in case FIR no.203 dated 21.3.2015 under Sections 20/61/85 of the NDPS Act, PS Nuh.

The accused was arrested on recovery of 87.400 kilograms of *ganja* transported from Orissa to the State of Haryana found in an abandoned container truck bearing registration No. HR-55-K-8676 owned by one Narinder Mishra.

Name of the petitioner surfaced in the investigation on the disclosure statement of co-accused Lukman wherein it was stated that the petitioner-Naveen @ Babbu alongwith other co-accused Ashok and Sanjay had come up with the proposal of bringing *ganja* from Orissa by using the contacts of co-accused Lukman with many drivers.

Learned State counsel has filed reply by way of affidavit of Satheesh Balan, IPS, SP Mewat which is taken on record. Learned State counsel in view of the contents of the reply submits that petitioner alongwith Ashok and Sanjay are real

investors in transaction of smuggling of *ganja* from Orissa. Petitioner is also found to be a distributor of Airtel Company and got recovered mobile phones with sims which were being used in smuggling of *ganja*.

At this stage, learned counsel for the petitioner prays for permission to withdraw the petition.

Dismissed as withdrawn. ”

Learned State Counsel, assisted by ASI Kawar Pal, submits that the petitioner and the absconding co-accused/non-applicants Ashok and Sanjay are the real financers of the entire consignment and there is no change in the circumstances since the order dated 08.12.2015.

The petitioner is stated to be in custody since 16.05.2015.

At this stage, learned Counsel for the petitioner/accused wishes to withdraw the present petition.

Dismissed as withdrawn.

April 08, 2016

Gagan

**(JASWANT SINGH)
JUDGE**