

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

CRM-M No. 10197 of 2018

DATE OF DECISION :- April 02, 2018

Anil @ Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Satbir Gill, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

This petition for pre arrest bail has been filed by petitioner Anil @ Sonu, an accused in F.I.R. No. 170 dated 26.2.2018 for offence under Section 21 of the NDPS Act registered with Police Station City Sirsa, District Sirsa.

Briefly stated the facts of the case as per the prosecution story are that on 26.2.2018, a police party had apprehended accused Rinku @ Gori and 9 grams of heroin was recovered from him. He was arrested in this case and formal F.I.R. was recorded. The matter was investigated. On being interrogated, Rinku @ Gori disclosed that he had brought heroin from Anil @ Sonu (present petitioner), as such Anil @ Sonu was nominated.

Apprehending his arrest in this case, the petitioner approached the Court of Sessions by way of filing petition for pre arrest bail which was assigned to Additional Sessions Judge, who vide order dated 5.3.2018 dismissed the said application, as such he has approached this Court seeking the similar relief. The petition is being resisted by the State counsel.

Though petitioner has been nominated in the statement of co-

accused suffered before the police during investigation, such statement can definitely be taken into consideration. The custodial interrogation of the petitioner is required to know as to whether from whom he had procured the contraband and to which other persons he had been supplying the same.

The petitioner is stated to be involved in six more other cases as per detailed below :-

- i) F.I.R. No. 170 dated 26.2.2018 under Sections 21, 61, 85 of NDPS Act registered with Police Station City Sirsa.
- ii) F.I.R. No. 509 dated 1.9.2017 under Sections 21, 61, 85 of NDPS Act registered with Police Station City Fatehabad.
- iii) F.I.R. No. 467 dated 20.6.2017 under Sections 21, 61, 85 of NDPS Act registered with Police Station City Sirsa.
- iv) F.I.R. No. 52 dated 18.3.2018 under Sections 21, 61, 85 of NDPS Act registered with Police Station City Sirsa.
- v) F.I.R. No. 186/14 under Sections 454, 380, 411 IPC registered with Police Station City Sirsa.
- vi) F.I.R. No. 269/15 Under Section 13 3/67 G Act registered with Police Station City Sirsa.

That means he had got a criminal past and is indulging in drug trafficking, therefore, he is not entitled to the discretion of pre arrest bail. The petition stands dismissed accordingly.

(H.S. MADAAN)
JUDGE

April 02, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No