

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-40445-2018

Date of decision: 18.09.2018

Surjeet

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. JS Dahiya, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail in case FIR No. 95 dated 12.07.2018 registered under Section 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short-'the Act') at Police Station Ding, District Sirsa.

According to the prosecution on 11.07.2018, car of co-accused Ravi Kumar, was stopped by the police during routine patrolling. On search of the car, five cartoons containing 1,05,600 capsules and tablets having salt Tramadol, were found lying therein. On interrogation, Ravi Kumar, aforesaid disclosed to the police that he had purchased said drugs from petitioner-Surjeet.

Learned counsel for the petitioner *inter alia* contends that co-accused-Ravi Kumar, has named Ajit as manufacturer of alleged recovered drugs and not the petitioner, who is known to him and called as

Surjeet. Ravi Kumar, aforesaid is friend of the petitioner, therefore, disclosing the name of Ajit by him to the police during investigation shows that said Ajit is a different person. The police wants to falsely implicate the petitioner for no reasons.

On the other hand, learned State counsel vehemently opposing the submissions of learned counsel for the petitioner contends that petitioner Surjeet is known by his alias name Ajit, also. Therefore, Ajit, named by co-accused-Ravi Kumar, in his disclosure statement is petitioner only being one and the same person.

Considering the recovery of heavy quantity of contraband from co-accused-Ravi Kumar and disclosing the name of petitioner as manufacturer of the same, this Court is not inclined to grant anticipatory bail to the petitioner.

Dismissed.

September 18, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No