

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

CRM-M No. 764 of 2019
Date of decision : March 06, 2019

Pawan Kumar

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. RS Mamli, Advocate
for the petitioner.

Mr. Himmat Singh, DAG Haryana

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.0490, dated 14.12.2018, registered under Section 21(b)/27-A of the NDPS Act, at Police Station Sadar Fatehabad.

As per allegations, the raiding party had stopped a Scorpio on suspicion and recovered 30 grams of heroin from its occupants and on interrogation, the occupants informed the police that they had purchased it from the petitioner.

Learned DAG Haryana has stated that there are two other FIRs of the same nature against the petitioner. The first one of is FIR No.583 dated 27.11.2017. As per him, on three occasions three sets of persons have named the petitioner as the source of the drug and, therefore, the petitioner

should not be granted the concession of anticipatory bail.

Counsel for the petitioner has argued that the converse of the story is that for almost one and half years the police know that the petitioner is a drug peddler but they have never been able to nab him and, therefore, this creates a doubt on the story of the police.

In these circumstances, without commenting upon the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Consequently, the petitioner is directed to appear before the Investigating Officer on 20.03.2019 or on any other day on which the Investigating Officer requires his presence, and in the event of his arrest, the petitioner shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

The petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

March 06, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No