

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

**CRM-M No. 8923 of 2019
Date of Decision:-08.05.2019**

Raj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Raj Kumar has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0034 dated 29.1.2019, under Section 22(b) of NDPS Act 61 of 1985, registered at Police Station Rania, District Sirsa.

As per allegations in the FIR that on 29.1.2019 a secret information was received by the police from a secret informer that one person on his motor-cycle No.HR-44G-3695 will come to sell the huge quantity of intoxicant tablets near Bus Stand Banni. At about 2.15 PM, the secret informer gave signal to SI Gopal Ram informing that the person is standing on his motor-cycle No.HR-44G-3695 (black colour) HF Deluxe

holding white colour plastic bag on the said motor-cycle. When the police party was going to catch the person, after seeing the police party, the said person fled away from the spot leaving the plastic bag on said motor-cycle.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. According to him the vehicle in question belongs to Gurjant Singh, which is purchased by the petitioner. He further contends that no particulars of the person regarding his height, colour, age etc. are mentioned and the motor-cycle was standing at the bus stand and the petitioner used to park it there for his visits outside the town.

On the other hand, prayer for grant of interim relief is opposed by learned State counsel, who is assisted by HC Bajrang on the ground that the information was received in advance wherein the particulars of the motor-cycle i.e. the registration number etc. were given. Not only this, the informer had signaled the police about the presence of the person alongwith the contraband and the motor-cycle. However, before the police could apprehend him, the said person managed to escape. It is pointed out that the huge recovery of contraband i.e. 95 boxes containing 19000 capsules Parvorin-Spas Ridley Tramadol (weighing 11.930 kg), which falls under the commercial quantity, has been recovered from the plastic bag lying on the motor-cycle No.HR-44G-3695.

Considering the nature of the offence, particularly, the huge quantity recovered by the police and the fact that the vehicle i.e. motor-cycle owned by the petitioner is involved in the crime, this Court is of the opinion that it is not a fit case for grant of extra-ordinary concession of

anticipatory bail to the petitioner.

Resultantly, the petition is dismissed.

May 08, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No