

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

**Crl. Misc. No.M-26595 of 2019 (O&M)
Date of Decision: July 04, 2019**

Rajbir Singh @ Raju @ Rajanbir Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.S.Sandhu, Advocate
for the petitioner.

Mr. Arpinder Singh Sidhu, D.A.G., Punjab

SURINDER GUPTA, J.(Oral)

As per case of the prosecution, one Abraham was apprehended by police party headed by Inspector Haryinder Singh of CIA Staff, Jalandhar on 09.01.2019 and heroin weighing 3 kg 70 grams was recovered from his possession.

Learned State counsel submits that during investigation said Abraham disclosed the name of Sucha Singh to whom he had to supply the heroin. Sucha Singh was arrested and during investigation, he suffered a disclosure statement that he was involved in smuggling of heroin since 2018. He met a nigerian who offered to supply heroin as and when required and gave his mobile number. He twice purchased 500 grams of heroin from him and started the business of sale of heroin with Rajbir Singh. Both purchased heavy quantity of heroin from that Nigerian. They placed order of 3 kg 70 grams of heroin with him. On 09.01.2019, he was intimated

through telephonic call made on whatsapp that a youth from Mizoram is bringing the consignment and will call him on reaching Jalandhar. That boy made whatsapp call to him from his mobile No.94363-84167 on his whatsapp No. 82689-74196 informing his arrival at Jalandhar Bus Stand. He (Sucha Singh) asked him to reach bus stand Kang Sahbo at Nakodar road. Thereafter, he alongwith Rajbir@ Raju (petitioner) proceeded towards bus stand Kang Sahbo in I-20 car bearing registration No.PB-09-AG-1592. When they did not receive any call despite waiting for long time, they returned to their home. On the next day i.e. 10.01.2019, they came to know that the police had arrested Abraham Lalringeta with the consignment of heroin. At this he shut down his mobile and sold the same at Sodhi Telecom Sultanpur Lodhi. On arrest he apprised the police that he along with Rajbir have been buying heroin. The consignment of heroin in question was to be taken by Rajbir on payment of Rs.10.00 lakh. The remaining payment was to be made after selling the heroin. I-20 car was also purchased from the money earned from sale of heroin.

Learned counsel for the petitioner submits that the statement of Sucha Singh is not admissible in evidence against the petitioner, who has been falsely implicated in this case. He is ready to join the investigation and assist the police in this case. He further submits that the petitioner is not involved in any other case.

Learned State counsel submits that the allegations against the petitioner are very serious. He is involved in the sale of narcotic, which is affecting the society and giving rise to drug peddling.

The matter is still under investigation and the police requires

made by Sucha Singh. So far as the collection of other evidence about involvement of petitioner in this case is concerned, that will be seen after investigation is complete. However, keeping in view the gravity of offence, I find no reason to allow the anticipatory bail to the petitioner.

Dismissed.

July 04, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>