

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

CRM-M-39243-2019

Date of decision: 18.10.2019

Pawan Sangwan

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Harinder Singh Sidhu

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Haryana.

HARINDER SINGH SIDHU, J.

The present petition has been filed under Section 438 Cr.P.C. 1973 for grant of anticipatory bail to the petitioner in case FIR No.257 dated 24.07.2019 under Section 21(b) of NDPS Act, 1985, registered at Police Station Bhuna, District Fatehabad.

As per allegations in the FIR, two persons namely Gurpreet Singh @ Tinku and Sandeep Kumar @ Sandy were apprehended riding a motorcycle bearing No.HR-22N/1654. It is stated that 40 grams of heroin was recovered from Gurpreet @ Tinku and 74 grams of heroin was recovered from Sandeep Kumar. In their disclosure statement, they named the petitioner as person from whom, they have procured the said heroin.

Reply by way of an affidavit of Daljeet Singh, H.P.S., Deputy

Superintendent of Police, Fatehabad on behalf of respondent-State has been filed in the Court today and the same is taken on record.

As per the affidavit filed on behalf of the State, earlier, also the petitioner has been involved in four other cases under NDPS Act.

Learned counsel for the petitioner has contended that the benefit of anticipatory bail cannot be denied on the basis of pendency of other cases under the provisions of NDPS Act.

Learned counsel for the State contends that custodial interrogation of the petitioner is necessary to ascertain the source from which he had procured the drug.

Keeping in view of the facts and circumstance of the case, no ground is made out for for grant of anticipatory bail and the present petition is hereby dismissed.

(HARINDER SINGH SIDHU)
JUDGE

18.10.2019

anju rani

Whether speaking/ reasoned:

Yes

Whether Reportable:

Yes/No