

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13437-2020 (O&M)

Date of Decision:-8.7.2020

Ravinder Kumar @ Bunty

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tribhawan Singla, Advocate for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0053 dated 17.2.2020 at Police Station City Sangrur, District Sangrur under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. It is the case of prosecution that pursuant to receipt of secret information against co-accused Saurav @ Gaurav, the said Saurav @ Gaurav was arrested and 2750 intoxicant tablets (Clovidol-100 SR) were recovered from his possession. It is the case of prosecution that the aforesaid Saurav @ Gaurav, who is himself running a medical store under the name and style of 'Binny Medical Store', suffered a disclosure statement to the effect that he had procured the aforesaid drugs from 'M/s R.K. Firm' owned by the present petitioner.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that he is sought to be nominated as an accused on account of business rivalries between Saurav @ Gaurav and the petitioner on the basis of alleged disclosure statement made by aforesaid Saurav @ Gaurav and that no recovery was ever effected from the petitioner.
4. Opposing the petition, the learned State counsel has submitted that since Saurav @ Gaurav has specifically named the petitioner as a person from whom he had procured the drugs in question, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that no recovery was ever effected from the petitioner and that it is a case where the petitioner himself is a chemist and it would certainly be debatable as to why he procured the alleged drugs/medicines from the present petitioner, who is stated to be another chemist and not a distributor and while also noticing that the petitioner, in any case, is not stated to be involved in any other case and has since joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 1.6.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

8.7.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No