

CRM-M-15490 of 2020

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

CRM-M-15490 of 2020

Date of Decision: June 17, 2020.

Shri Pal

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.Ashish Gupta, Advocate
for the petitioner.

Mr. Anmol Malik, DAG., Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner seeks concession of anticipatory bail in FIR No. 309 dated 19.05.2020, under Section 20 (Act No.61) of NDPS Act and Section 188 of IPC, registered at Police Station Shivaji Colony Rohtak, District Rohtak.

As per the FIR, secret information was received by the police on 19.05.2020 to the effect that the present petitioner was carrying contraband i.e. Ganja Patti, in vehicle No. HR-29-AE-8604. Pursuant to the said secret information, the police force swung into action and at the spot the Scorpio car in question was seen coming, but the driver did not stop when signalled to do so by the police. It stopped at some distance, but the petitioner who was driving the car, fled from the spot. 22 Kg of Ganja

CRM-M-15490 of 2020

Patti was recovered alongwith a mobile phone from the car.

Learned counsel for the petitioner has argued that the car in question does not belong to the petitioner neither was he identified at the spot as being the person who has escaped. It is contended that there is no evidence on record to connect the petitioner with the crime.

Heard learned counsel for the parties.

Learned counsel for the petitioner is unable to deny that, though the car in question is not registered in the petitioner's name, the mobile phone, which was recovered from the said car belongs to his real brother, Parveen. It is a matter of record that the petitioner was moving around during the lockdown. The necessary pass which was affixed in the vehicle in question, was issued in the petitioner's favour. Mobile phone number mentioned in the said pass is the same mobile which has been recovered from the vehicle in question. Therefore, to say, at this stage, that the petitioner is not connected with the offence in any manner, is not justifiable. Custodial interrogation of the petitioner is indeed required in this case.

In the given facts and circumstances of the case, I do not find any ground whatsoever to afford the concession of anticipatory bail to the petitioner.

Petition is accordingly dismissed.

(LISA GILL)
JUDGE

June 17 , 2020.
's.khan'

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No