

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-16237-2020

Date of decision: 23.06.2020

Kaushal Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Aditya Sanghi, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing.

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to petitioner-Kaushal Kumar, in case FIR No. 104 dated 25.05.2020 registered under Sections 21 and 61 of the NDPS Act at Police Station Ding, District Sirsa.

According to prosecution, on 25.02.2020, co-accused of the petitioner, namely; Gurmel Singh @ Gela and Charanjeet Singh @ Bittu were apprehended with conscious possession of 400 grams of heroin without any permit or licence. During investigation, they disclosed the name of petitioner as supplier of said contraband to them.

Learned counsel *inter alia* contends that there is no link evidence available with the police to connect the petitioner with the alleged crime. Petitioner has falsely been implicated. No recovery has to be

effected from him, inasmuch as, recovery of contraband has already been effected from his co-accused. In support of his contentions, he placed reliance upon, **Surinder Kumar Khanna Vs. Intelligence Officer, Directorate of Revenue Intelligence, 2018 (3) SCC (Cri.) 567.**

Having given thoughtful consideration to the submissions of learned counsel for the petitioner, recovery of heavy quantity of Heroin weighing 400 grams from his co-accused and the fact that petitioner was named by them as their supplier, this Court finds that the petitioner does not deserve the concession of anticipatory bail, inasmuch as, he is required for custodial interrogation to un-earth the source from where he procured such a huge quantity of contraband. The citation relied upon by learned counsel is of no help to petitioner, inasmuch as, it is a final verdict in a case under the NDPS Act and not while dealing with the case for grant of anticipatory bail.

Dismissed.

June 23, 2020

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No