

CRM-M-18209 of 2020

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

CRM-M-18209 of 2020
Date of Decision: 14.08.2020

Subhash

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Gurjot Singh Sadhrao, Advocate, for the petitioner.
Mr. Sumit Jain, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video-conferencing due to Covid-19 pandemic.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to petitioner – Subhash – in case FIR No.104 dated 25.05.2020 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act (Section 85 NDPS Act added later on) at Police Station Ding, Sirsa, Haryana.

According to prosecution, on 25.05.2020, on the basis of secret information, 400 grams heroin was recovered from the conscious possession of co-accused of the petitioner, namely, Gurmel Singh alias Gela, Nishan Singh alias Rinku and Charanjeet Singh alias Bittu. During interrogation, they disclosed that petitioner and one Kaushal Bahiya were having equal share in the recovered heroin and they had paid money to them

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for purchasing the same.

Learned State counsel submits that though petitioner has joined the investigation, his custodial interrogation is required to know the source of contraband, as he purchased the contraband in the instant case from a Nigro. Petitioner is also involved in case FIR No.609 of 2019 under the NDPS Act. Thus, he is an habitual offender.

Heard.

In view of above, petitioner does not deserve the concession of anticipatory bail. His custodial interrogation is very much required.

Dismissed.

August 14, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No