

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

104

CRM-M-21620-2020

DATE OF DECISION: 15.12.2020

NAVAL SOOD

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vikram Chaudhri, Senior Advocate with
Mr. Sartaj Singh Gill, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.108 dated 28.04.2020 (Annexure P/1), registered under Sections 22 and 29 of the NDPS Act, 1985, at Police Station Gate Hakima, Police Commissionerate, Amritsar.

Learned senior counsel for the petitioner contends that the alleged recovery has been effected from the premises of a transport company namely M/s Golden Deep Enterprises and the petitioner does not have any connection with this consignment. He further contends that the premises of the petitioner, who is a chemist, had also been raided but no recovery had been effected from him. The FIR was registered on the basis of a secret information. He also contends that consignment was dispatched by M/s Neu Tec Health Care Pvt. Ltd. to M/s Jai Hanuman Pharma. The telephone

numbers from where the respondents are trying to connect the petitioner with the transport company with regard to this consignment do not belong to him.

Respondents have filed affidavit of ACP, Amritsar City in reply. Learned State counsel contends that 8 boxes containing 4 lakh tablets were recovered from the premises of Goldendeep Enterprises and another 7 boxes of tablets are alleged to have been taken away from the transport company by the co-accused. The call details between the petitioner and the transport company, especially the whatsapp messages, through which they were interacting, had been appended as Annexures R-4 to R-7. He also contends that there is one phone number which was used by the petitioner and the same was sold by one Jagjit Singh who had told the police that he had sold the same to the petitioner. The goods were dispatched by the M/s Neu Tec Health Care Pvt. Ltd. to M/s Jai Hanuman Pharma. The statement of one Gurdeep Singh @ Gora had been recorded who stated that the goods dispatched were meant for the petitioner. The statements of the co-accused, who had been arrested, indicate that the goods were meant for the petitioner. The consignment was meant for M/s Jai Hanuman Pharma but on verification it was found that there is no firm which was operating at the given address.

Heard.

It is, thus, apparent that a huge consignment of intoxicating tablets, which were allegedly containing Tramadol Hydrochloride, had been recovered. The consignment was in the name of the non-existent firm. There are statements of Gurdeep Singh @ Gora and Harminder Singh, transporter

that the consignment was meant for the petitioner and the consignee namely M/s Jai Hanuman Pharma is stated to be a non-existent firm. There are calls which had been made by the petitioner to the owner of the transport company with regard to the consignment.

In view of the above, I do not consider it to be an appropriate case to grant the concession of anticipatory bail to the petitioner. The petition stands dismissed. However, it is clarified that nothing whatsoever, which has been observed hereinbefore, shall have any bearing on the merits of the controversy.

(ANUPINDER SINGH GREWAL)
JUDGE

15.12.2020.

SwarnjitS

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