

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

CRM-M-23914-2020 (O&M)

Date of decision: September 16, 2020

Khem Chand @ Pappu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rakesh Sobti, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.
(through video conferencing)

ARVIND SINGH SANGWAN, J.

CRM-22750-2020

For the reasons stated in the application, the same is allowed and the hearing of the case is pre-poned to today.

CRM-M-23914-2020

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.55 dated 26.2.2020 under Sections 21 of the NDPS Act, 1985 registered at Police Station, Hathin, District Palwal.

Counsel for the petitioner submits that as per the allegations in the FIR, the police party apprehended co-accused Ram Gopal, along with a TATA truck Hyva and recovered 165 kgs.200 gms. of Ganja. From the disclosure of said Ram Gopal, one Gulshan @ Harinder and the petitioner were nominated and from Gulshan @ Harinder 38 kgs.830 grams of Ganja was further recovered. Both the accused named the petitioner as a person from whom they have acquired the narcotics.

Counsel for the petitioner further submits that the petitioner was not named in the FIR and the only evidence against him is the disclosure statement of the co-accused. Counsel for the petitioner also submits that main accused Ram Gopal has been granted the concession of default bail under Section 167(2) Cr.P.C.

Counsel for the petitioner next submits that the petitioner is working as a Vaid and is running a hospital and has no connection with the co-accused and he is a first offender.

In reply, the learned State counsel has, however, opposed the prayer on the ground that the petitioner is the main link of an organised drug racket. Counsel further submits that as per the disclosure of co-accused Ram Gopal, Gulshan @ Harinder, Bunti, Pawan and Sunil, the name of the petitioner has cropped up and the petitioner is main accused who had supplied the narcotics to four persons and they have also named the petitioner as the supplier of the narcotics.

Counsel for the State further submits that the name of the petitioner has cropped up in the disclosure statement of Sunil made on 11.5.2020 and the investigation in this regard is going on and the custodial interrogation of the petitioner is required to find out the nexus between the accused and to crack the drug racket and, therefore, the petitioner is the main accused and not entitled for grant of regular bail.

After hearing counsel for the parties and considering the serious allegations against the petitioner, I find no ground to grant the regular bail to the petitioner.

The petition stands dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

September 16, 2020
satish

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