

In virtual Court

CRM-M-26858-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26858-2020 (O&M)
Date of decision: 09.09.2020

Amarjeet Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.203 dated 25.08.2020 under Section 22(c) of NDPS Act, registered at Police Station City Ratia, District Fatehabad.

Learned counsel for the petitioner submits that as per allegations in the FIR, co-accused Bittu @ Baba and Sandeep Singh were arrested and 250 strips of NRX Tramadol Hydrochloride sustained release IP 100 mg having 10 tablets in each strip, total 2500 tablets were recovered from them and during the investigation, they disclosed name of the petitioner as supplier and the petitioner has been nominated in this FIR and except that there is no evidence against him.

A perusal of the petition would show that the petitioner himself has made a declaration that earlier he was involved in FIR No.198 of 2020, in

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which he was convicted and has undergone the sentence and is also facing trial in FIR No.25 dated 02.03.2016. Both these FIRs were registered under Section 18 of NDPS Act, therefore, the Court, at this stage, cannot form an opinion in view of bar under Section 37 of NDPS Act, as the recovery from the co-accused is of commercial quantity and the petitioner being involved in the earlier cases, cannot be presumed that he may not repeat the offence.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to the petitioner to surrender before the trial Court and prays that a direction be issued to the trial Court to dispose of regular bail application of the petitioner expeditiously.

Dismissed as withdrawn with liberty aforesaid.

In case the petitioner surrenders before the trial Court and moves an application for regular bail within a period of 07 days from today, the trial Court will decide the same within 03 days thereafter.

**[ARVIND SINGH SANGWAN]
JUDGE**

09.09.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No