

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

115

CRM-M-28048-2020 (O&M)

Date of Order:16.09.2020

Ginna @ Guddi

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Suman Sagar Sheoran, Advocate,
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.563, dated 30.07.2020, registered under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station HTM, Hissar, District Hissar.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Hisar, in paragraph 2 of its order dated 03.09.2020, which is extracted as under:-

“On 30.07.2020, police party led by ASI Inder Singh was present at G.T. Road, Highway Mirzapur on campaign to track proclaimed offenders and illegal weapons. A secret information was received that Guddi wife of Baljeet, resident of Vishwakarma Colony Mirzapur Road, Hisar has kept Narcotic Substance in the bushes in open plot adjacent to her house and sells the contraband to drug addicts. After complying with section 42 of N.D.P.S. Act, the raiding party reached on the spot and found a bag containing 2 kg. Ganja. The neighbours disclosed that the contraband belongs to Guddi wife of Baljeet, resident of Vishwakarma Colony, Hisar who has come out of jail recently in an N.D.P.S. Act case.”

Learned counsel for the petitioner contends that the alleged recovery is from a open plot and the petitioner is sought to be implicated on the basis of hearsay evidence.

On the other hand, Sh. Chetan Sharma, Assistant Advocate General, Haryana, has submitted that the petitioner is a habitual offender. She does not have clean antecedents as she has 2 more cases under the Narcotic Drugs and Psychotropic Substances Act, 1985 i.e. FIR No.3, dated 15.11.2018 and FIR No.399 dated 02.06.2020. He further submits that the petitioner conceals the narcotics in an abandoned place and sell the same whenever she gets an opportunity.

Keeping in view the facts of the case and without commenting on the merits of the case, this court is not inclined to grant the concession of pre-arrest bail to the petitioner.

Dismissed.

September 16, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No