

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

(111)

CRM-M-33575-2020

Date of Decision: October 19, 2020

Vijay Pal @ Vijay

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kartar Singh, Advocate, for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No. 178 dated 24.09.2020, under Sections 22-C, 29, 61 and 85 of the NDPS Act registered at Police Station Bhattu Kalan, District Fatehabad.

Learned counsel for the petitioner argues that no recovery of the banned substance has been effected from the petitioner and the recovery of the banned substance has only been done from co-accused Sita Ram and therefore, the petitioner be granted the benefit of anticipatory bail.

Notice of motion.

Ms. Safia Gupta, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that from the co-accused Sita Ram, a large quantity of banned substance was recovered and on interrogation, co-accused Sita Ram disclosed that the said banned substance was purchased from the petitioner. Learned counsel for the respondent-State submits that the custodial interrogation of the petitioner is necessary to unearth the truth as to how, the petitioner came into possession of these banned substance and whether, the petitioner has been selling the same to the others as well or not.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the co-accused from whom a large quantity of banned substance was recovered, has named the petitioner that he had purchased those banned substance from the petitioner, the custodial interrogation of the petitioner is very necessary to unearth the truth as to how the petitioner got into the possession of such a large quantity of banned substance and whether the petitioner is instrumental in selling these banned substance to others as well or not. For effective interrogation, especially for the violation of NDPS Act, custodial interrogation is necessary. The lives of the citizens are being destroyed due to the selling of these banned substance. There is an alarming spike in the number of people buying and selling these contraband in the country, which needs to be controlled in an effective manner so as to minimise the said offence, if not to eradicate. This country has one of the largest number of youths, a factor to power economic growth, but an overwhelming majority of addicts are amongst these youths, which has resulted in increase of crime and violence. The increasing number of drug addicts day by day has resulted into an upsetting situation. The role of

operators, who are working from behind the scene, also needs to be brought out as they are the actual offenders and for that purpose custodial interrogation of the petitioner is must.

Keeping in view the above, no ground is made out to grant the petitioner the benefit of anticipatory bail.

Accordingly, the petition is dismissed.

October 19, 2020
harsha/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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