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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.34162 of 2020 (O&M)  
Decided on: 28.10.2020

Rajan Arora @ Rajan Arora

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

**Present:-** Mr. G.S. Sandhu, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN J. (Oral)**

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.160 dated 03.09.2020 registered under Sections 22 and 29 of the NDPS Act at Police Station Kotwali, District Bathinda.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered on the statement of ASI Gurwinder Singh, when he along with other police officials were on patrol duty, 02 persons were seen sitting near a Scooty and on suspicion, they were apprehended and they disclosed their names as Happy son of Rakesh Kumar and Ankush Arora son of Narinder Kumar. Thereafter, by following the proper procedure, the search was conducted and total 27700 intoxicant tablets were recovered as detailed in the FIR.

Counsel for the petitioner has further submitted that later on the basis of the disclosure statement of co-accused, Ankush Arora son of Narinder Kumar, who is the real brother of the petitioner, was nominated as an accused from whom he has purchased the aforesaid

CASE HEARD THROUGH VIDEO CONFERENCING

intoxicant tablets.

Counsel for the petitioner has also argued that it will be a matter of trial whether the disclosure statement given by co-accused is admissible as per Section 27 of the Evidence Act. It is further argued that there is no other case pending against the petitioner.

Counsel for the State has opposed the prayer for bail on the ground that the recovery is heavy and the co-accused is the real brother of the petitioner and having acquaintance with the petitioner, the possibility of his involvement in this case cannot be ruled out, at this stage.

After hearing the counsel for the parties, considering the fact that heavy quantity of the contraband was effected from the real brother of the petitioner, who has nominated the petitioner as an accused person, I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)  
JUDGE

28.10.2020  
*yakub*

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