

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

CRM-M-43973-2019 (O&M)

Date of decision: 06.03.2020

Kuldeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Sumeet Puri, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

H.S. MADAAN, J. (Oral)

This petition for pre-arrest bail has been filed by petitioner Kuldeep Singh, aged about 21 years, an accused in FIR No.64 dated 28.04.2019, for offences under Sections 21C and 22C of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered with Police Station Pillukhera.

Briefly stated facts of the case as per prosecution story are that on 28.04.2019, a police party from Police Station Pillukhera, District Jind intercepted vehicle bearing No.HR-26-AN-7352. Such vehicle was being driven by Jagjit Singh son of Ajaib Singh. Search of the vehicle revealed that 02 containers containing 22 boxes each and one container containing 13 boxes; each box contained 500 tablets and 2000 loose tablets mark Tramadol Hydrochloride tablets 100 MG

Clovide-100 SR and one container containing 30 small boxes each having 250 tablets of similar type were recovered. The accused could not produce any license or permit for possession of such tablets. Accused was arrested in this case. Case property was seized and FIR was recorded. During the course of interrogation of accused, he nominated the present petitioner as supplier of the tablets.

Apprehending his arrest in this case, petitioner/accused had approached the Court of Sessions at Jind seeking pre-arrest bail, which prayer was declined by learned Addl. Sessions Judge, Jind, vide order dated 21.08.2019. Therefore, he has approached this Court, craving for grant of that very relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

The recovery involved from the co-accused of the petitioner amounts to commercial quantity attracting rigor of Section 37 of the Act. Admittedly, the custodial interrogation is more elicitation oriented, since a person couched in comparative safety of pre-arrest bail would definitely not disclose all the facts within his knowledge. Custodial interrogation is necessary to find out from where he had been receiving supply of contraband and to which persons, he had been supplying the same. In case, his custodial interrogation is denied to the investigating agency that shall leave many glaring loopholes and gaps, adversely affecting the investigation, which is uncalled for. As

informed by the State counsel, the present petitioner is involved in following other criminal cases i.e. FIR No.49 dated 25.10.2018 U/s 22 of the Act, PS Dharamgarh, District Sangrur, FIR No.77 dated 07.08.2018 U/s 61 of the Excise Act, PS Moonak, District Sangrur and FIR No.71 dated 27.03.2019, U/ss 22 and 29 of the Act, PS Lehra Gaaga, District Sangrur. It shows that the petitioner is a habitual criminal and engaged in drug peddling. Therefore, no leniency can be shown to such type of persons. There is no merit in the instant petition. The same stands dismissed.

06.03.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No