

CRM-M-48575 of 2019

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

CRM-M-48575 of 2019
Date of Decision: 20.01.2020

Bhagwan Singh

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Tarunveer Vashist, Advocate, for the petitioner.
Mr. Chetan Sharma, AAG, Haryana.
Mr. Pratham Sethi, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Vakalatnama on behalf of petitioner, superseding earlier counsel, filed in Court today is taken on record. Be tagged at appropriate place.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to petitioner – Bhagwan Singh in case FIR No.99 dated 12.02.2017 registered under Section 22-C of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short the 'NDPS Act') and Section 18-C of the Drugs and Cosmetic Act at Police Station Ratia, District Fatehabad.

According to the prosecution, on 12.02.2017, on the basis of secret information, six bags containing prohibited drugs were recovered, out of which one bag was containing 2500 tablets of salt Alprasave 0.5 mg, second bag was containing 380 tablets of Alprazolam, third bag was

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containing 250 tablets of AT 2 mg, fourth bag was containing 552 Spasmo Proxywon capsules, fifth bag was containing 5100 tablets of Pindol Forte and six bag was containing 6190 tablets of Tramaset containing Codeine, which fall under the category of prohibited drugs under the NDPS Act. During investigation, one Hemraj, co-accused of the petitioner was arrested, who named petitioner as one of his accomplice involved in the illicit trade of contraband.

Learned counsel for the petitioner *inter alia* contends that petitioner was not apprehended on the spot. He has falsely been implicated. Co-accused of the petitioner, namely, Krishan has been enlarged on anticipatory bail. Treating the case of the petitioner on the same parity, he may be granted concession of anticipatory bail.

On the other hand, learned State counsel, opposing the bail application, contends that petitioner has been declared proclaimed offender. In representation (Annexure P-6) given by the petitioner to Superintendent of Police, Fatehabad, way back on 04.05.2018, he disclosed the fact of registration of FIR against him. Thus, petitioner was well-aware about registration of present case against him. Thus, he cannot say that he was not aware about any proceedings conducted against him.

Heard.

Considering heavy recovery of 2500 tablets of salt Alprasave 0.5 mg, 380 tablets of Alprazolam, 250 tablets of AT 2 mg, 552 Spasmo Proxywon capsules, 5100 tablets of Pindol Forte and 6190 tablets of Tramaset containing Codeine and the fact that regular bail application of Hemraj and anticipatory bail application of Lakhwinder Singh have been

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dismissed and that the petitioner has been declared proclaimed offender, he does not deserve the concession of anticipatory bail.

Dismissed.

January 20, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

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