

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

CRM-M-9905 of 2021.

Decided on:- March 03, 2021.

Ravidat.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Amit Choudhary, Advocate
for the petitioner.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.3 dated 04.01.2021 under Section 21 (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) [Sections 22(c) and 27A of the NDPS Act were subsequently added] registered at Police Station Sadar Tohana, District Fatehabad.

As per the FIR, on 04.01.2021, co-accused Ajay Kumar @ Hoshiara was apprehended by the investigating agency and a recovery of 7000 tramadol tablets weighing 2 kg. 860 grams was effected from his possession.

Learned counsel for the petitioner has submitted that the petitioner is not involved in any other case of the NDPS Act. The petitioner has been named as an accused on the basis of disclosure statement of co-accused Ajay Kumar @ Hoshiara, who stated before the police that the petitioner has supplied the aforesaid contraband. The petitioner runs a Dhaba in the name and style of Sahil Shudh Vaishnoo Dhaba at Chandigarh Road, Tohana and he has been falsely implicated by the police just to settle their own grudge.

I have heard learned counsel for the petitioner.

In the present case, co-accused Ajay Kumar @ Hoshiara was found in possession of 7000 tramadol hydrochloride SR tablets IP Celcidal-100 SR having weight of 2 kg. 863 grams, which is certainly a commercial quantity. During interrogation, co-accused Ajay Kumar @ Hoshiara has stated in his disclosure statement that it is the petitioner, who supplied the aforesaid contraband to him. Therefore, this Court finds that the custodial interrogation of the petitioner is required for proper investigation of the case and no case is made out to grant anticipatory bail to him.

The present petition is, accordingly, dismissed.

March 03, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No