

CRM-M-15497-2021(O&M)

[1]

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

Criminal Misc. No.M-15497 of 2021(O&M)

Date of Decision: April 08, 2021

Ram Mehar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Vikas Saroha, Advocate
for the petitioner.

Mr.Tapan Kumar Yadav, DAG, Haryana.

HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 438 Cr.P.C for grant of pre-arrest bail in case FIR No.31 dated 26.01.2020 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station City Jhajjar, District Jhajjar.

As per the allegations in the FIR lodged on the complaint of ASI Naresh Kumar, the complainant along with police party was present at Jhajjar bye-pass road, Jhajjar on 26.01.2020, where he received secret information that one Canter bearing Reg.No.HR-65A-9707 was standing on the road opposite to village Surkhpur bus stop, which contained a huge quantity of *Ganja*. Secret informer also disclosed that Suba Singh, driver and Rambir Singh, Conductor of the Canter and one Surjit @ Jeetu were

present there. The *Ganja* has been brought from Orissa. On receipt of the information, the complainant went to the spot along with other police officials and found the Canter parked there. Three young persons were also standing there. On seeing the police party two of them managed to flee. However, one was apprehended, who disclosed his name as Surjeet @ Jeetu. He also disclosed the names of the two boys who had fled away as Sube Singh Driver and Rambir Singh Conductor of the Canter. The Canter was checked and 50 plastic bags containing a total of 1000 kilograms of *Ganja* leaves were recovered. As per the FIR, Surjeet Singh disclosed that he along with Ram Mehar (petitioner), Anil and Rambir were jointly in the business of selling intoxicants. On 15.01.2020 he along with Rambir had gone to get *ganja patti*. On 22.01.2020 he get loaded 10 quintals of *ganja patti* in Canter No.HR-65A-9707 and sent the same through driver Sube Singh and Rambir Conductor. He himself took a flight from Vishakhapatnam and reached at Delhi on 23.01.2020. He also disclosed that the petitioner had invested Rs.10 lacs, Anil, Rambir and Surjeet had invested Rs.5 lac, Rs.4 lac and Rs.6 lacs, respectively in purchasing the contraband. On 25.01.2020 he (Surjeet) called on the mobile number of the driver from his mobile and it was decided to meet on the road opposite to the bus stand of village Surkhpur.

Ld. Counsel for the petitioner has argued that the petitioner has been falsely implicated in the case. He stated that Surjeet @ Jeetu is inimical to the petitioner. In fact, about five years ago the petitioner and Surjeet @ Jeetu were jointly engaged in the business of purchase and sale of vehicles. Later because of some differences, the business was closed and thereafter,

the petitioner has no relation with Surjeet. There was no question of him dealing in contraband in partnership with Surjeet.

The allegations against the petitioner are that he and the other co-accused were engaged in the business of selling intoxicants. As per the disclosure statement of the co-accused Surjeet the petitioner had contributed Rs.10 lakhs for the purchase of Ganja. Ten quintals of *ganja patti* has been recovered.

Considering the nature of the allegations no ground is made out for grant of anticipatory bail to the petitioner.

Dismissed.

April 08, 2021

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No