

CRM-M-23631-2021

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

CRM-M-23631-2021

Date of decision: 10.11.2021

Sonu alias Soni

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Manvinder Sidhu, Advocate,
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.160 dated 10.05.2021, registered under Section 15 NDPS Act, 1985, at Police Station Sirsa Sadar, District Sirsa.

Learned counsel for the petitioner contends that the petitioner has been indicted on the basis of the disclosure statement of co-accused Darshan Singh alias Chamkeela, from whom recovery of 7 kg. 500 gram poppy husk (Choori post) had allegedly been effected. The aforesaid recovery of intoxicant substance allegedly effected in the present case, falls under the non-commercial quantity. It is further submitted that Darshan Singh alias Chamkeela has named the petitioner and one Tarsem @ Sema, alleging that he had purchased the intoxicant substance from them.

On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, submits that

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Darshan Singh was in custody, when he had named the petitioner and Tarsem Singh. There are two other cases of similar nature registered and pending against the petitioner. He further submits that custodial interrogation of the petitioner is required to unearth the racket run by the peddlers.

I have heard the learned counsel for the parties.

The petitioner has been specifically named in the FIR and he is involved in supplying the intoxicant substance to the main accused. Admittedly, the recovery effected in the present case falls under the non-commercial quantity, but keeping in view the fact that there are two other cases of similar nature registered and pending against the petitioner, this Court finds that custodial interrogation of the petitioner is required to unearth the real racket run by the peddlers. In the considered opinion of this Court, the purpose of investigation would stand defeated by allowing the petitioner to join the investigation, especially keeping in view his antecedents. Moreover, the criminal antecedents of the habitual offender(s) like the petitioner, which shatter the very tranquility of the collective, do not entitle him to be enlarged on bail.

In view of the above, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

10.11.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No