

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

CRM-M-25035-2021

Date of Decision: 13.09.2021

Sarwan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Brijeshwar Singh Bhalla, Advocate
for the petitioner.

Mr. Sarabjit Singh, AAG, Punjab.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail in case FIR No.323 dated 09.11.2020 under Sections 22-C, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kathunangal, District Amritsar(R).

As per allegation in the FIR on 09.11.2020 a secret information was received that Gursahib Singh and Avtar Singh in connivance with each other are involved in the selling of intoxicant tablets. Based on the secret information, a naka was laid and Avtar Singh who was riding a motorcycle was apprehended on the same day. He was found in possession of 10200 (ten thousand two hundred) intoxicant tablets. On the next day i.e 10.11.2020 Gursahib Singh was apprehended. From his possession, 11,400 (eleven thousand four hundred) intoxicant tablets were recovered. It is alleged that on the disclosure statement of Gursahib Singh and Avtar Singh, Ajay Kumar, Jagtar Singh, Balwinder Singh and Sanjiv Kumar were apprehended on 18.11.2020. 975 intoxicating tablets were recovered from Sanjiv Kumar. Based on the disclosure statement of co-accused Sanjiv Kumar, Navjot Singh was nominated as an accused. On 14.12.2020, Navjot Singh, Dilpreet Singh and Surinder Singh @ Sonu were apprehended. 3,46,000 (three lakh forty six thousand) intoxicant tablets were recovered from them. On the basis of disclosure statement of co-accused Navjot Singh, 49000 intoxicating tablets were recovered from his residence on

21.12.2020.

It is further the case of the prosecution that one Sunil was nominated as an accused on the basis of the disclosure statement of Navjot Singh. Production warrants of said Sunil were obtained and he was arrested on 11.05.2021. As per the prosecution, the petitioner has been named in the disclosure statement of said Sunil who disclosed that the petitioner is actively involved in procuring intoxicant tablets in huge quantities from Delhi through a proper network.

Learned counsel for the petitioner has argued that the petitioner's name has not surfaced either in the disclosure statement of Avtar Singh or Gursahib Singh, who were apprehended on 09.11.2020 and 10.11.2020 respectively. It is on the basis of disclosure statement of Sunil, who was apprehended on 11.05.2021 that the petitioner is being sought to be implicated. Recoveries have already been made.

Opposing the petition, learned State counsel submits that the case involves a big supply chain of illegal trafficking of drugs. The police is working at unearthing the entire chain and exposing every person involved so that the source as well as the suppliers are apprehended. He argued that investigation in the case has revealed the involvement of many drug traffickers and a gang has been unearthed which was actively involved in the drug trade across the State. He stated that the total recovery in the present case is of approx. Four lakh intoxicant tablets.

Custodial interrogation of the petitioner is necessary to identify and break the supply chain formed by him to get drugs into Punjab from other States including Delhi. He argued that the petitioner is involved in a similar case FIR No.222 dated 14.08.2020 u/s 22, 25, 29,61 NDPS Act, P.S. Division A, Police Commissionerate Jalandhar. In that case, 67000 intoxicating tablets were recovered from him.

Having heard Ld. Counsel for the parties, in my view, this is not a case where anticipatory bail can be allowed to the petitioner.

The police in this case has unearthed a gang which was involved in procuring and supplying huge quantities of intoxicating tablets. About four lakh intoxicant tablets have already been recovered. As per the disclosure statement of Sunil, the petitioner is actively involved in procuring intoxicant tablets in huge quantities from Delhi through a proper

network. Custodial interrogation of the petitioner is necessary to identify and break the supply chain formed by him to get drugs into Punjab from other States including Delhi. Petitioner is earlier also involved in a case under the NDPS Act wherein 67000 intoxicating tablets were allegedly recovered from him.

Thus, the petition is dismissed.

September 13, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes

Whether Reportable: Yes/No