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

CRM-M-43233-2020

Date of Decision: 01.04.2021

Satpal

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gourav Jain, Advocate for the petitioner.

Ms. Dimple Jain, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for grant of bail in FIR No. 241, dated 3rd October, 2020, under Sections 22 (c) and 27 (a) of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Ratia, District Fatehabad.

Brief facts are that during the routine checking on 3rd October, 2020, the police party apprehended two young persons. One of the boy was carrying a white plastic packet. The boys disclosed their names as Balwant Singh and Lakhan Soni. Search of the packet, 50 strips of NRX Tramadol Hydrochloride Tablets (100 grams) totaling to 500 tablets and 38 strips of NRX Tramadol Hydrochloride Tablets (100 mg) totalling to 380 tablets were found. The recovery was 694.32 grams of intoxicant.

During investigation, it surfaced that the tablets were supplied to Satpal (petitioner) by Vicky and these were further

supplied to Balwant Singh and Lakhan Soni.

Mr. Gourav Jain, learned counsel for the petitioner argues that petitioner was not apprehended at the spot, no recovery was made and challan has not been presented in spite of custody of the petitioner for 6 months.

Ms. Dimple Jain, Assistant Advocate General, Haryana opposes the grant of bail. She argued that petitioner was involved in another case. While being on interim bail, he continued to indulge in such like activities. Further contention is that challan is yet to be presented, the application for extension of time was allowed by the Court concerned. The submission is that co-accused Vicky is still at large and in case the petitioner is granted bail, he would be in a position to affect the witnesses.

No case is made out for grant of bail. Merely as the petitioner was nominated on the basis of disclosure statement would itself would not be a ground for release of petitioner while the matter is being investigated. More so, when the police is in process of unearthing the supply chain and one of the main link i.e. Vicky is yet to be apprehended. Custody period is not the only weighing factor for grant of bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

1st April, 2021

pankaj barweja

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | Yes |