

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

CRM-M-50446 of 2021

Date of decision: 02.12.2021

Mohinder Singh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pankaj Bali, Advocate for the petitioner.
Ms. Dimple Jain, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

The petitioner aggrieved of the order rejecting the prayer for grant of anticipatory bail in FIR No. 251 dated 29.10.2021, under Section 22(c) and 29 of the NDPS Act, 1985 (for short, 'the Act'), registered at Police Station Siwan, Kaithal is before this Court under Section 438 Cr.P.C.

The relevant facts are that on 29.10.2021, the police got a secret information that Dixit Kamra was indulging in selling narcotic and if a raid is conducted at his house, he can be apprehended with huge quantity of narcotic substances. The information was acted upon and 28500 tablets of Diphenaxylate Hydrochloride & Atopine Sulphate IP Lomotil and 1500 tablets of Tramadol Hydrochloride 100 mg. Celcidal-100 CR were recovered from Dixit Kamra. The petitioner was named by Dixit Kamra as supplier of the intoxicants.

Learned counsel for the petitioner submits that son of maternal uncle of the petitioner is running a chemist shop to whom the petitioner had advanced a friendly loan and to avoid the liability to repay the loan, the petitioner was named as supplier in the disclosure statement. He further submits that there is no evidentiary value attached to the disclosure statement.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of pre-arrest bail. She submits that the police is in possession of material including WhatsApp calls between the petitioner and Dixit Kamra which indicate towards regular dealing and supplying of material.

There was a heavy recovery from Dixit Kamra. The petitioner was named as a supplier. In order to have a deeper probe, custodial interrogation of the petitioner would be necessary. The contention that the disclosure statement has no evidentiary value would be subject matter of trial. Suffice to say that apart from the disclosure statement, the investigating agency is having other material also. The contention of advancing loan to relation of Dixit Kamra is only a bald statement.

No case is made out for grant of anticipatory bail.

The petition is dismissed.

However, nothing stated above shall be taken as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

2nd December, 2021
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |