

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

CRM-M-50322 of 2021

Date of decision: 02.12.2021

Sajan Kumar

Petitioner

Versus

State of Punjab

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. B. S. Bhalla, Advocate for the petitioner.
Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

The petitioner aggrieved of the order rejecting the prayer for grant of anticipatory bail in FIR No. 177 dated 2.10.2021, under Sections 22 and 29 of the NDPS Act, 1985 registered at Police Station Kathu Nangal, District Amaritsar is before this Court under Section 438 Cr.P.C.

The relevant facts are that on 2.10.2021, Karamjit Singh @ Kaka was apprehended in the area of Police Station Kathu Nangal. Hundred intoxicant tablets (hereinafter referred to as 'the tablets') were recovered from him. He was not having any permit or licence to possess the same. In his statement, he disclosed that he had purchased the tablets from Bhullar Medical Store owned by Kirpal Singh. On arrest of Kirpal Singh, 780 tablets were recovered. He further named Sunny Tarzan and Rohit as the suppliers. Rohit was arrested and he named Navin Gupta. On arrest of Navin Gupta, 13539 tablets were recovered. Navin Gupta named Manish

Kumar and Vivek Mahajan, on arrest, at their instance 180000 and 15900 tablets respectively were recovered. The recovery from Vivek Mahajan is from his shop. Manish Kumar further named Sanjay Kumar, Pankaj Arora, Ankush Mahajan and Sajan Kumar (petitioner). It was stated that after procuring the tablets from Madhya Pradesh, the same were sold to the persons named in the disclosure statement.

Learned counsel for the petitioner submits that the petitioner was named in a chain of disclosure statement which has no evidentiary value. The contention is that the petitioner is neither a chemist nor a licence holder and has no links with the arrested co-accused who are running shops of chemist. The contention is that the petitioner is ready to join investigation.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of anticipatory bail. He submits on instructions from SI-Nirmal Singh that probe is being conducted to unearth the supply chain of the tablets. The contention is that out of thirteen accused seven have been arrested and there is recovery of 210319 tablets.

The evidentiary value of the disclosure statement would be subject matter of trial. From the facts narrated, it is evident that a chain was being maintained for procuring and supplying the tablets. For a deeper probe and to ascertain the deep rooted net extended for supply of tablets, custodial interrogation of the petitioner would be necessary.

No ground 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.

2nd December, 2021
mk

[AVNEESH JHINGAN]
JUDGE

- | | | |
|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |