

205

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

CRM-M-52043-2021

Date of decision: 20.12.2021

Jatinder Kumar Arora @ Vicky

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sonpreet Singh Brar, Advocate for the petitioner.

Mr. Gaurav Garg Dhuriwala and
Mr. Amit Mehta, Senior Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 344, dated 13th July, 2020, under Sections 22(c), 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 [for short 'NDPS Act'] (Sections 7, 13 of the Prevention of Corruption (Amended) Act, 2018 [for short 'P.C. Act.']) and Sections 465, 467, 468, 471, 120-B IPC were added later on), registered at Police Station City Barnala, District Barnala.

[2] Brief facts of the case are that FIR was registered on the basis of secret information that Palo Kaur was indulged in selling of narcotic substances. The information was acted upon and Palo Kaur

was apprehended. The recovery of 580 tablets of Clovidol 100s Intoxicant was effected from her on 13th July, 2020. During interrogation, she named Gaurav Aggarwal and Dheerendra Singh. They were apprehended on 14th July, 2020. The recovery effected from them is as under:-

Gaurav Aggarwal	108000 tablets of Alprazolam
Dheerendra Singh	7500 tablets of Buprenorphine Injection IP Leegesic
	570000 tablets of Alprasaft 0.5
Joint Possession of Gaurav Aggarwal and Dheerendra Singh	165 Injections of Leegesic 2552 Capsule of Simplex Plus 4740 Capsule of Foridol 500 Tablets of Clovidol 500 Tablets of Prozolam Rs. 35,000/- Drug money from their house

On the basis of interrogation from Gaurav Aggarwal and Dheerendra Singh, the names of Kapil Arora, Raghu Raja and Vikas Mangal surfaced on 20th July, 2020. The recovery effected from them is as under:-

Raghu Raja	50000 Tablets of Clovidol SR 40000 Tablets of Alko-1 Rs. 48,58,800/- drug money from his house
Vikas Mangal	10000 Capsules of Foridol 24000 Tablets of Clozerid-2 Rs, 11,75,000/- drug money from different houses.

During interrogation on 22nd July, 2020, Harish Bhatia @ Raju Sachdeva, Gourav Arora (Director of Neutec Health Care Pvt. Ltd.), Krishan Arora (father of Gourav Arora), Rakesh Bansal @ Nikka were nominated. The recovery of 4000 Tablets of Cleam Kit and 4000 bottles

of Eskuf syrup was effected from Harish Bhatia @ Raju Sachdeva on 29th July, 2020. During interrogation of Harish Bhatia @ Raju Sachdeva, Gaurav Aggarwal, Dheerendra Singh, Raghu Raja, Kapil Arora and Vikas Mangla, the petitioner (Jatinder Kumar Arora @ Vicky) was nominated. The role attributed to the petitioner is that he facilitated the accused and he acted as a link between accused and police official.

[3] Mr. Sonpreet Singh Brar, learned counsel for the petitioner submits that petitioner is in custody since 22nd September, 2020. He was named during interrogation of Gaurav Aggarwal and Dheerendra Singh. He was produced on production warrant, no recovery was effected from him. It is further contended that petitioner was nominated due to his involvement in another FIR under the NDPS Act. The allegations against the petitioner are under P.C. Act. He relies upon the fact that co-accused Kapil Arora and S.I. Surjit Singh were granted regular bail by this Court on 28th May, 2021 and 8th June, 2021.

[4] Learned State counsel opposes the prayer for grant of bail and submits that heavy recovery was made in the scam. Petitioner is involved in another FIR under the NDPS Act.

[5] Heard the learned counsel for the parties at some length and perused the pleadings.

[6] It is forthcoming that there was no recovery from the petitioner, he was named during the interrogation of Gaurav Aggarwal and Dheerendra Singh. The evidentiary value of the statement would be subject matter of trial. Considering that investigation is complete,

challan stands presented and conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing adequate bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

[7] The petition is allowed.

[8] It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

20th December, 2021
pankaj baweja

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