

CRM-M-6667 of 2022

[1]

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

CRM-M-6667 of 2022

Decided on: 15th March, 2022

Baljit Singh @ Babbu

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Alisha Soni, Advocate for the petitioner.
Mr. Amit Mehta, Senior DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

The petitioner is seeking anticipatory bail in FIR No. 230 dated 30.12.2021, under Sections 21 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short, 'the Act') (wrongly mentioned in the impugned order as Section 22 of the Act and Sections 22, 61 and 85 of the Act in the head note of the petition), registered at Police Station Special Task Force, District STF Wing.

The brief facts are that the police received a secret information that Baljit Singh, Gurjant Singh and Amarjit Kaur were indulging in sale of heroin. Further that they were planning to supply the heroin on motor-cycle bearing registration No. PB-HM-4665. Barricading was done near Malakpur Jalandhar by-pass. Two persons and one woman were found coming on the motor-cycle. On seeing the police party, they took a turn, Gurjant Singh and Amarjit Kaur were apprehended. Recovery of one

kilogram and seven hundred grams of heroin was made. The role attributed to the petitioner by co-accused Amarjit Kaur in disclosure was that she was living with the petitioner and at his instance used to sell the heroin and gets commission.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot and no recovery was made from him.

Learned counsel for the State opposes the prayer for grant of pre-arrest bail. He submits that the petitioner is involved in four more FIRs, in the present case Section 29 of the Act is invoked and custodial interrogation is needed to have a deeper probe.

Acting upon the secret information, the police made a heavy recovery of heroin. As per the allegations, the petitioner is the person running the show. Evidentiary value of the disclosure statement would be subject-matter of investigation and trial. In view of the nature of allegations, *modus operandi* needs to be un-earthed and if protected with pre-arrest bail, the deeper probe required would not be possible.

The present petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

15th March, 2022

mk

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