

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

**CRM-M-10905 of 2022
Date of Decision:- 02.05.2022**

Vinod Kumar

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.

Prayer is for grant for anticipatory bail to the petitioner in case having FIR No.83 dated 12.02.2022 registered under Sections 22C/29/27/61 of NDPS Act 1985 and Section 18(C), 18-A of Drug & Cosmetics Act, Police Station Civil Line, District Sirsa, Haryana.

As per the FIR, on 12.02.2022 one Tiago car driven by Tanurag Manav was apprehended by the police in the area of Sirsa and commercial quantity of medical intoxicants were recovered from the said car.

The counsel for the petitioner argued that the petitioner was not named in the FIR and it is not the case of prosecution that he escaped from the spot, when aforesaid recovery was effected from Tanurag Manav. The counsel further submitted that the petitioner has been named as accused on the basis of alleged disclosure made by Tanurag Manav, but the same is not legally sustainable. He further submitted that the petitioner is ready to join the investigation with the police.

The present petition is opposed by the State counsel who submitted that apart from the disclosure made by Tanurag Manav, there are also call details record and whatsapp chat which connects the present petitioner with Tanurag Manav and the aforesaid recovery of commercial quantity of contraband which has been effected from the car in which Tanurag Manav was travelling. The State counsel further submitted that custodial interrogation of the petitioner is necessary for proper investigation of the case.

I have considered the submissions made by both the parties.

The contraband recovered in the present case from Tanurag Manav falls under commercial quantity and same was alleged to be purchased by the said accused from the present petitioner, as per the disclosure statement recorded by Tanurag Manav before the police. As per the State counsel, during investigation call details record and whatsapp chat were scrutinized,

which also shows that the present petitioner was well associated with Tanurag Manav.

In view of heavy quantity contraband recovered from co accused Tanurag Manav and to ascertain the role of petitioner as well as bar under Section 37 NDPS Act, no ground for grant of anticipatory bail to the petitioner is made out. Accordingly, the present petition stands dismissed. The observations made herein-above may not be construed as an expression of opinion on the merits of the case.

02.05.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No