

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

206

**CRM-M-15546-2022
Date of decision: 19.04.2022**

RAVINDER KUMARPetitioner

Versus

STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Ajit Kumar Sharma, Advocate
for the petitioner.

Mr. Amreek Singh Narwal, DAG, Haryana
for the respondent-State.

SANT PARKASH, J. (ORAL)

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case, FIR No.83 dated 12.02.2022 registered under Sections 22C/29/27/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 18(C), 18-A of the Drugs and Cosmetics Act, 1940 at Police Station Civil Line Sirsa, District Sirsa.

As per the prosecution version, on 12.02.2022, police party headed by SI Data Ram, on suspicion, apprehended main accused Tanurag Manav, who came in Tata Tiago Car and recovery of heavy/commercial quantity of contraband was effected from the accused.

The name of the present petitioner cropped up on

disclosure statement of main accused Tanurag Manav who in his statement alleged that he used to supply the drugs to different persons including the present petitioner.

The petition has been opposed by the learned State Counsel in terms of reply filed by way of affidavit of Sadhu Ram, Deputy Superintendent of Police, Sirsa.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case on the basis of disclosure statement made by main accused Tanurag Manav from whom recovery of non-commercial quantity of contraband was allegedly made. The petitioner has nothing to do with the alleged recovery. Except the disclosure statement nothing incriminating evidence has been collected by the prosecution agency against the present petitioner. The petitioner is just owner of the Medical Store and not connected with this matter. Four other co-accused have already been granted regular bail by the learned trial Court. The custodial interrogation of the petitioner is not at all required. The petitioner is ready and willing to join the investigation.

Opposing the contentions, learned State Counsel has vehemently argued that commercial quantity is involved in the present case, the custodial interrogation of the petitioner was required for thorough and fair investigation.

After having heard and considering the factual position

discussed above that the petitioner's name surfaced in the disclosure statement, the petitioner has no criminal antecedents and co-accused were granted regular bail by the trial Court, the custodial interrogation of the petitioner is not required, the present petition is disposed of with a direction to the petitioner to join the investigation and remain present as and when called for and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer.

The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. failing which the protection of anticipatory bail order shall not be available to him.

19.04.2022
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No