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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19294-2022 (O&M)
Date of decision: 13.05.2022

Rajesh Kumar @ Raju

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. C.R. Narwal, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.124 dated 21.03.2022 under Section 20 of NDPS Act, registered at Police Station Sadar Hansi.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of SI Sumer Singh, while on patrol duty, a secret information was received that a white coloured vehicle bearing registration No.HR-73A-5011 will come on the highway, carrying narcotic substance like ganja and if a barrier is put, recovery can be effected. Thereafter, an information was sent to the police station for registration of FIR and a police

party was constituted. Later on, the police party stopped a car, driver of which disclosed his name as Surender and two ladies sitting in the car disclosed their names as Ramrati and Saroj. After giving notice under Section 50 of NDPS Act, recovery of 150 kg of ganja was effected in presence of a Gazetted Officer.

Learned counsel further submits that the petitioner was not named in the secret information and he has been nominated in the FIR on the basis of disclosure statement of co-accused. It is also submitted that the petitioner was not arrested at the spot.

Learned State counsel, on the basis of investigation, has submitted that the petitioner was escorting the vehicle, in which three aforesaid co-accused were travelling and his mobile tower location was from Palwal till the spot of arrest, with other accused. Even as per CCTV recording of Palwal KMP toll and Farukhnagar toll, the petitioner was escorting the aforesaid vehicle. It has also come in the investigation that the petitioner is kingpin of the drug racket and he sent co-accused for collecting contraband from Orissa and the entire amount was financed by him and same was brought from Orissa to Bihar and Bihar to Palwal and he was escorting the vehicle of co-accused to the place of destination and in the intervening period, co-accused were arrested. It is further submitted that the petitioner is involved two more cases under NPDS Act registered at Hisar.

After hearing learned counsel for the parties and considering the fact that recovery is of huge quantity i.e. 150 kg of ganja, which is followed by the investigation, which suggests that the petitioner was escorting the vehicle as

per CCTV footage of two toll plazas as well as his mobile tower location and also in view of the fact that he is involved in two more cases under NDPS Act, I find no ground to grant him the concession of anticipatory bail.

Dismissed.

13.05.2022
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No