

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

**CRM-M-23556 of 2022
Date of Decision:- 02.06.2022**

Gagandeep

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

KARAMJIT SINGH, J.

Prayer is for grant for anticipatory bail to the petitioner in case having FIR No.235 dated 28.08.2021 registered under Sections 21(C), 29 of NDPS Act and Section 411 of IPC, Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

The counsel for the petitioner contends that the petitioner was not named in the FIR and nominated as an accused on the basis of disclosure statement of co-accused Satnam Singh. The counsel further contends that the petitioner has got no links with co-accused Satnam Singh and Ashwani who are stated to be arrested by

the police on 28.08.2021 along with certain contraband. The counsel further contends that the prosecution failed to produce any call details to show that the petitioner was in contact with the aforesaid co-accused at any point of time. The counsel further contends that the police has already presented the challan against Satnam Singh and Ashwani and that petitioner is ready to join the investigation.

Short reply by way of affidavit of Sukhwinder Singh, Deputy Superintendent of Police, Circle Amloh, District Fatehgarh Sahib, filed on behalf of the State is ordered to be taken on record.

The State counsel while opposing the present petition submits that police recovered 300 grams of heroin and Rs.1.25 lakhs drug money from the car in which co-accused Ashwani Kumar and Satnam Singh were travelling. During investigation aforesaid Satnam Singh made a disclosure statement that the petitioner used to get heroin from him and Ashwani Kumar. The State counsel further submits that the petitioner is also involved in two other cases under NDPS Act, whose detail is given in the aforesaid short reply filed by the State. The State counsel further submits that the custodial interrogation of the petitioner is necessary to go to the root of the case.

I have considered the submissions made by both the parties.

As per the police record Satnam Singh and Ashwani Kumar were apprehended by the police on 28.08.2021 while they

were travelling in car No.PB-07-AR-6606 and 300 grams of heroin and drug money worth Rs.1.25 lacs were recovered from the said car. As per the police, co-accused Satnam Singh while in custody suffered disclosure statement that the present petitioner used to get heroin from him and Ashwani Kumar. As per the reply filed by the State, the petitioner is also involved in two other cases registered under NDPS Act.

In view of the fact that commercial quantity of heroin and huge amount of drug money was stated to be recovered from co accused Satnam Singh and Ashwani Kumar 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.

02.06.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No