

CRM-M-34677-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34677-2022
Reserved on: 06.08.2022
Pronounced on: 25.08.2022

Jamshed ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Munfaid Khan, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
292	18.07.2022	Punhana, Distt. Nuh, Haryana	22-B of NDPS Act and Section 27(b)(ii) of Drugs and Cosmetics Act, 1940 and Section 7 of Essential Commodities Act, 1955

1. The petitioner, apprehending arrest for violating the above-mentioned provisions of Narcotics Drugs and Psychotropic Substances Act, 1985 (NDPS Act) as per the FIR captioned above, had come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. In paragraph 7 of the bail petition, the accused declares that he has no criminal antecedents.
3. The allegations are of recovery of 111 bottles of cough syrup of gross weight 100 ml each, containing 22 grams of pure drug substance of codeine phosphate.
4. Ld. Counsel for the petitioner contends that the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
5. Ld. counsel representing the State opposes the bail.

REASONING:

6. The number of cough syrup bottles containing codeine phosphate, without any permit, licence, or bill is huge, and the custodial interrogation is required to get the trail of the sellers and procurers. In the facts and circumstances peculiar to this case, and for

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the reasons mentioned above, the petitioner fails to make a case for anticipatory bail under section 438 CrPC.

7. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

Petition dismissed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

25.08.2022
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Whether speaking/reasoned: Yes
Whether reportable: No.