

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

CRM-M-39724-2022

DECIDED ON: 2nd SEPTEMBER, 2022

SHISHPAL

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Satbir Singh Gill, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 438 Cr.P.C. has been filed by the petitioner for grant of anticipatory in case FIR No. 271, Dated 04.07.2022, under Sections 21 (b) of the Narcotic Psychotropic Substances Act, 1985 registered at Police Station Ellenabad, District Sirsa.

Learned counsel for the petitioner contends that the name of the petitioner is surfaced on the basis of disclosure statement of his co-accused Anil Kumar @ Anu. Nothing is to be recovered from the petitioner. He further submits that the alleged recovery was effected from co-accused, who has already been granted regular bail.

Notice of motion.

On the asking of Court, Mr. Surender Singh, AAG, Haryana accepts notice on behalf of respondent-State. He places reliance upon the judgment of Apex Court in the case of **State of Haryana vs. Samarth Kumar**; 2022 (3) RCR (Criminal) 991.

The allegation against the petitioner are that the alleged contraband was sold by him. Custodial interrogation of the petitioner is necessary to unearth all the ramifications involved in the present case and also to know the origin of the contraband.

In view of afore-said facts and circumstances and keeping in view the gravity of offence, petitioner does not deserve the concession of pre-arrest bail.

Accordingly, the present petition stands dismissed.

2nd SEPTEMBER, 2022
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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>