

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-45305-2021 (O&M)

Date of Decision:-21.11.2022

Harmant Singh @ Hanwant Singh

... Petitioner

Versus

NCB, Chandigarh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Yashwant Singh Rathore, Advocate for the petitioner.

Ms. Gurmeet Kaur Gill, Senior Panel Counsel,
for respondent No.1-NCB, Chandigarh.

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide NCB Crime No.37, dated 27.5.2021, under Sections 8, 21, 22, 25, 29, 60 of Narcotic Drugs and Psychotropic Substances Act, 1985 by Narcotics Control Bureau (NCB), Amritsar/Chandigarh.
2. As per the case of prosecution, on 27.5.2021, a secret information was received by Sh. Vikash Singh, Intelligence Officer in the office of Narcotics Control Bureau, Sub Zone, Amritsar to the effect that one suspected parcel (suspected to be containing narcotics) has been received at DTDC, Office, Amritsar sent by Mukesh Agency, Baltora, District Jodhpur and was to be received by one Inderjit Singh son of Gurbej Singh, resident of Tarn Taran,

who would come at the office of DTDC, Amritsar at about 09:00 a.m. for getting delivery of suspected parcel. It is further the case of prosecution that in accordance with said information when one Inderjit Singh came to DTDC Express Office, Amritsar on 27.5.2021 and collected the suspected parcel, he was asked to stop by NCB team. Said Inderjit threw the parcel at NCB team and ran away from the spot. Though the NCB team chased the said Inderjit Singh but he could not be apprehended. When the parcel thrown by Inderjit Singh was opened and checked, the same was found to contain 14,998 tablets of 'Tramadol'. It is further the case of prosecution that during investigation it was found that the parcel had been sent by one Ganga Ram from Jodhpur, Rajasthan to Inderjit Singh (absconder). Said Ganga Ram was associated with the investigation and, who disclosed that he was using mobile phone No.9928427904 and was posted in Shiv Government Hospital, Barmer and that he had booked the consignments in the name of Inderjit Singh. Ganga Ram further disclosed that he had come in contact with Hanwant Singh (petitioner) in the year 2020, who was dealing in supply of medicines and was also involved in illegal sale of medicines. Ganga Ram further disclosed that Hanwant Singh induced him into drugs trade and had supplied consignments to him on 5/6 occasions to be sent to the addressed provided by him and that the sender used to be mentioned as one 'Mukesh Agency', which was already closed down. Ganga Ram also disclosed the mobile number of Hanwant Singh.

3. Learned counsel for the petitioner submitted that the petitioner was never ever arrested at the spot or found in possession of any contraband and has been nominated as an accused on the basis of disclosure statement of one Ganga Ram, who himself was never found in possession of contraband and

that, in these circumstances, no sanctity or evidentiary value can be attached to such like statement.

4. Opposing the petition, learned State counsel has submitted that although the petitioner was nominated as an accused on the basis of disclosure statement but sufficient evidence has been collected so as to establish his complicity. Learned State counsel, in this regard, has drawn the attention of this Court to 'whatsapp' conversation, which had taken place between the petitioner and Ganga Ram and reproduced as Annexure P-7, which clearly shows that the petitioner was very much dealing in supply of drugs.
5. Having regard to the aforestated position, wherein the police has been able to collect evidence as regards involvement of the petitioner and one of the consignment recovered was found to contain 14,998 tablets of '*Tramadol*', which would fall in the category of 'commercial' quantity, this Court does not find any ground for grant of bail. The petition is sans merit and is hereby dismissed.

21.11.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No