

**101 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-40838-2022

DECIDED ON: 8th SEPTEMBER, 2022

TARZAN

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J

The instant petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail in case FIR No. 35, dated 04.05.2022, under Sections 21, 22, 27-A, 29 and 61 of Narcotic Drugs & Psychotropic Substances Act, 1985 registered at Police Station Verka, District Amritsar.

The brief facts are that on the basis of suspicion on 04.05.2022 Sandeep Singh @ Sunny @ Pad was apprehended and from his possession 6 grams of Heroin and 210 intoxicant capsules Parvodon Spas and Currency notes of Rs.2450/- were recovered, during interrogation who disclosed that he used to purchase the same from the petitioner.

Learned counsel for the petitioner submits that the petitioner

was not named in the FIR, he was not apprehended from the spot. He further submits that the name of the petitioner was surfaced in a disclosure statement. No recovery is to be effected from him.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of pre-arrest bail. He submits that though the name of the petitioner was surfaced on the basis of disclosure statement of Sandeep Singh who disclosed that he used to purchase the contraband from the petitioner. He further submits that the accused Sandeep Singh is a habitual offender.

The Act is a self contained statute which specifically deals with menace of drugs. Stringent provisions have been provided for dealing with such cases. The ground that the petitioner was named in a disclosure statement in itself cannot be the sole consideration for grant of pre-arrest bail. A deeper probe is required to unearth the *modus operandi* and chain of suppliers.

If the concession of pre-arrest bail is granted to the petitioner, it will adversely affect the society and will create wrong impression in the minds of general public, which cannot be allowed. Thus, the allegation against the petitioner and his role, as per disclosure statement are serious in nature.

No ground is made out for grant of anticipatory bail.

Dismissed.

SANDEEP MOUDGIL
JUDGE

8th SEPTEMBER, 2022.

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| 1. Whether speaking/ reasoned : | Yes / No |
| 2. Whether reportable : | Yes / No |