

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

**CRM-M- 55894-2022**

**Date of Decision: 7.12.2022**

Ramandeep

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr.B.S.Mamli, Advocate for the petitioner

Mr.Gaurav Bansal, AAG, Haryana

**ASHOK KUMAR VERMA, J.**

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.0013 dated 09.01.2022 under Sections 15(c), 27-A, 29 of the NDPS Act and Sections 186, 307, 323, 353, 427 of the IPC registered at Police Station Sadar Fatehabad, District Fatehabad.

As per allegations in the FIR, on receipt of secret information, one Brezza vehicle was signalled to stop. However, the driver of said vehicle accelerated his vehicle and tried to run over ASI Surya Kant and ASI Jasbir Singh. However, they saved themselves by jumping aside. Thereafter, the police party managed to stop the Brezza vehicle. The driver disclosed his name as Pankaj Punia. On search of the vehicle, 52 kilograms 230 grams of poppy husk were recovered. Pankaj Punia disclosed that he had purchased the contraband from one Jagdish and was to supply the same to Balwinder @ Bindia. It was found that the

chassis number and engine number of Brezza Car were found tampered as the same were different from the record maintained regarding registration certificate of recovered Brezza vehicle. Pankaj Punia disclosed that he had purchased Brezza vehicle from Balwinder @ Bindia. Balwinder @ Bindia disclosed that he had purchased the vehicle with fake engine, chasis and registration numbers from Akshay Kumar and further sold it to co-accused Pankaj Punia. Akshay Kumar is alleged to have disclosed that he had purchased Brezza vehicle from one Rajbir @ Ghallu. On 17.04.2022, co-accused Rajbir @ Ghallu was arrested and on interrogation he suffered his disclosure statement to the effect that he had purchased Brezza vehicle from Pardeep @ Pinku @ Vicky.

Learned counsel for the petitioner submits that the petitioner has no role in the alleged occurrence. Co-accused Pankaj Punia has named Jagdish and Jagdish had further stated that he has taken the contraband from Gampar Ram. Pankaj Punia has further stated that he has purchased the Brezza vehicle from Balwinder alias Bindia. Balwinder has further made disclosure statement whereby he has mentioned the name of co-accused Akshay Kumar from whom he has purchased the vehicle having fake engine, chassis and registration number. Co-accused Akshay Kumar has further disclosed that he purchased the vehicle from co-accused Rajbir alias Ghallu. The petitioner has been named by co-accused in the disclosure statement. Learned counsel submits that the petitioner has no concern whatsoever with the alleged recovery of contraband. Learned counsel further submits that co-accused of the petitioner, namely, Akshay Kumar; Jagdish and Rajbir Singh @ Ghallu have been granted regular bail by this Court vide orders dated 12.05.2022 passed in CRM-M-16575 of 2022; 31.05.2022 passed in CRM-M-14161 of 2022 and 13.07.2022 passed in

CRM-M-23284 of 2022, respectively and Gampar Ram and Balwinder @ Bindia have been granted anticipatory bail by this Court vide orders dated 05.07.2022 passed in CRM-M-11134 of 2022 and CRM-M-4882 of 2022, respectively. Learned counsel submits that the petitioner is already ready and willing to join the investigation.

Notice of motion.

On the asking of this Court, Mr.Gaurav Bansal, AAG, Haryana accepts notice on behalf of the respondent-State.

Learned counsel for the State vehemently opposes the grant of anticipatory bail to the petitioner on the ground that the offence against the petitioner is serious in nature.

Considering overall facts and circumstances of the present case, this petition is disposed of with a direction to the petitioner to join investigation and remain present for investigation, as and when called for. In the event of arrest, the petitioner shall be released on bail on furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the conditions as specified under Section 438 (2) Cr.P.C. In case the petitioner fails to adhere to the terms and conditions as envisaged in this order, the State would always be at liberty to revive this petition by filing an application in this regard.

(ASHOK KUMAR VERMA)  
JUDGE

07.12.2022  
MFK

*Whether speaking/reasoned*

*Yes/No*

*Whether Reportable*

*Yes/No*