

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.101

CRM-M-20621-2023

Date of decision: 03.05.2023

Satiya Devi @ Rani Kaur @ Pichi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. J.K. Singla, Advocate
for the petitioner.

Mr. A.P.S. Tung, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.214 dated 29.11.2022 registered under Sections 22, 29 and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short – the NDPS Act) at Police Station Bhikhi, District Mansa.
2. The petitioner is being prosecuted for having supplied tablets containing Tramadol Hydrochloride to co-accused Jaswinder Singh from whose illegal possession 120 such tablets have been recovered.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; no recovery of any drugs/narcotics have been made from the petitioner; the only evidence against the petitioner is a disclosure statement of a co-accused in police custody which has no evidentiary value and that the petitioner is ready and willing to join and cooperate with the investigation.
4. Learned State counsel who appears on advance notice, while opposing the petition submits that 120 tablets containing Tramadol Hydrochloride were recovered from the illegal possession of co-accused

Jaswinder Singh who during the course of his interrogation has disclosed that the recovered tablets had been supplied to him by the petitioner; the petitioner is involved in two other cases under the NDPS Act and that, amongst other things, the police needs the petitioner's custodial interrogation to decipher the chain of drugs/narcotic substances being procured/supplied by the petitioner.

5. Learned counsel for the parties have been heard and with their able assistance the record of the case has also been perused.

6. 120 tablets containing Tramadol Hydrochloride were recovered from the illegal possession of co-accused Jaswinder Singh; on being interrogated, Jaswinder Singh has specifically named the petitioner to be the supplier of the recovered tablets; the petitioner is involved in two other cases under the NDPS Act; while on bail in the afore two cases, the petitioner is alleged to have committed the crime which is the subject matter of the FIR in question and thus, he has violated the terms of bail granted to him earlier; as to from where the petitioner has procured the narcotic substances allegedly recovered from co-accused Jaswinder Singh as also if there are other persons to whom he has allegedly supplied them are facts, amongst others, which need to be investigated by the State.

7. In the light of the above, this Court is of the opinion that the petitioner's custodial interrogation is necessary.

8. Dismissed.

May 03, 2023
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No