

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

**CRM-M No.23700 of 2023**

Date of decision: 11<sup>th</sup> May, 2023

Ajay Kumar @ Dakia

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Inderpreet S. Kooner, Advocate for the petitioner.

**MANJARI NEHRU KAUL, J.**

The petitioner is seeking the concession of anticipatory bail in FIR No.0085 dated 14.04.2023 for the offence under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Rajpura, District Patiala (Annexure P-1).

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand, and a recovery of 30 grams of Heroin along with drug money planted upon him. It has been further submitted that the money, which was allegedly recovered from the house of the petitioner and was shown to be drug money, was in fact kept by the petitioner for the medical treatment of his mother, who is stated to be a patient of dementia.

Notice of motion.

On the asking of Court, Mr. Ramdeep Pratap Singh, Sr. Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent/State.

Learned State counsel, on instructions, has opposed the prayer and submissions made by the counsel opposite by submitting that a secret information was received qua the involvement of the petitioner in the sale of Heroin, and thereafter, a raid was conducted, leading to the recovery of 30 grams of Heroin as well as drug money from his house. He vehemently submits that the custodial interrogation of the petitioner is required in the case in hand, in view of the rising number of cases under the NDPS Act in the State.

I have heard learned counsel for the parties and perused the relevant material on record.

Though the recovery effected from the petitioner is not under the commercial quantity, however, in view of the prayer and submissions made by the learned State counsel, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner, qua whom a secret information was received.

Dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)  
JUDGE

May 11, 2023  
*rps*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |