

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-27864-2021

Date of Decision: *January 17, 2023*

Ajay

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Arnav Kumar, Advocate,
for the petitioner.

Mr. Ranvir Singh Arya, Addl.A.G., Haryana.

Vivek Puri, J.

The petitioner is seeking anticipatory bail in the case FIR No. 0001, dated 01.01.2021, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Beri, District Jhajjar.

Briefly, the FIR has been registered in pursuance of the recovery of 244 kgs. 460 grams of 'ganja phool patti' from the possession of Ajit and Basant, co-accused.

Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of the supplementary disclosure statement of Ajit, co-accused. It has been further contended that no recovery has been effected from the petitioner and he has joined the

investigation in pursuance of the interim directions issued by this Court vide order dated 19.07.2021.

Learned State counsel has opposed the bail application on the score that the custodial interrogation of the petitioner is essential for the proper investigation of the case and furthermore, he is involved in the following cases:-

- a) FIR No. 297/2007, u/s 148, 149, 323, 506, 307 IPC, P.S. Sadar Dadri;
- b) FIR No. 118/2001, u/s 61-1-14 Excise Act, P.S. Sadar Dadri;
- c) FIR No. 43/2013, U/s 68-1-14 Excise Act, P.S. City Dadri;
- d) FIR No. 228/2014, U/s 323, 341, 427, 506, 34 IPC, P.S. Sadar Dadri;
- e) FIR No. 229/2014, U/s 147, 149, 323, 452 IPC, P.S. Sadar Dadri;
- f) FIR No. 351/2014, U/s 323, 341, 324, 506, 34 IPC, P.S. Sadar Dadri;
- g) FIR No. 215/2014, U/s 25/54/59 Arms Act, P.S. Loharu;
- h) FIR No. 352/2015, U/s 294, 295, 506, 34 IPC, P.S. Sadar Dadri;
- i) FIR No. 52/2016, U/s 32, 33, 41 of IT Act and 379, 411 IPC, P.S. City Bahadurgarh;

j) FIR No. 421/2017, U/s 384, 506, 120-B IPC, P.S.
Sector 18, District Gurugram.

It has been also argued that in view of Hon'ble Supreme Court's decision rendered in ***State of Haryana vs. Samarth Kumar, 2022(3) R.C.R. (Crl.) 991***, the petitioner is not entitled to the anticipatory bail.

It is significant to note that the petitioner is involved in 10 other cases and furthermore, in terms of ***Samarth Kumar's case*** (supra), the petitioner cannot be held entitled to the relief of anticipatory bail on the score that he has been nominated only on the basis of the supplementary disclosure statement of Ajit, co-accused. The matter requires thorough probe and investigation.

Keeping in view the entire circumstances and the antecedents of the petitioner, no exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

Instant petition is dismissed, accordingly.

January 17, 2023
vk d

(Vivek Puri)
Judge

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No