

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.56122 of 2023 (O&M)
DATE OF DECISION: 07th NOVEMBER, 2023

Chinda Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Amit Sharma, Advocate
for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.1102 dated 07.10.2023 registered under Section 21-A of the NDPS Act at Police Station Sadar Hisar.

2. It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, the name of the petitioner has surfaced only through the disclosure statement of the co-accused from whom 7 grams of heroin have been recovered. The petitioner is not connected with the material recovered in the case in any manner whatsoever. The petitioner is ready to join the investigation as and when called by the Investigating Officer.

Therefore, the petitioner deserves to be protected against his arrest.

3. Notice of motion.

4. Mr. Krishan K.Chahal, Addl. Advocate General, Haryana, accepts notice on behalf of the respondent/State.

5. Learned State counsel, being instructed by SI Dinesh, has submitted that the petitioner is directly involved in the case. The statement to this effect has been made by none other than the brother of the petitioner, from whom the heroin has been recovered. Therefore, the petitioner cannot assert that he is not involved in the crime. The investigation is at the initial stage. Therefore, the police are to unearth the true dimensions of the involvement of the petitioner in the crime, therefore, his custodial interrogation is required in this case. Hence, the petitioner does not deserve to be protected against his arrest.

6. In view of the facts and circumstances available on record, as well as, the submissions made by learned State counsel, this Court does not find it appropriate to interfere in the matter so as to protect the petitioner against his arrest. Accordingly, the present petition is dismissed.

07th NOVEMBER, 2023
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(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>