

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

**CRM-M No.57843 of 2023 (O&M)**

**Date of Decision: 17.11.2023**

Sagar

..... Petitioner

*Versus*

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present:- Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab for the respondent.

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**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.186 dated 22.09.2023, under Sections 21 & 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) [Section 29 of the NDPS Act added later on], registered at Police Station Guruharsahai, District Ferozepur.

(2) Allegations are that co-accused Rani (mother of petitioner) was found in possession of about 270 grams of *Heroin* without any license. Petitioner and his co-accused Rani & Hawaldaar Rattan Singh have been named in the FIR on the basis of secret information.

(3) Learned Counsel for the petitioner contends that petitioner has been falsely implicated by the police as a counter-blast to the FIR No.30 dated 26.12.2022, under Section 7 of the Prevention of Corruption Act, registered at

Police Station Vigilance Bureau, District Ferozepur. Also contends that petitioner has already joined the investigation.

(4) *Per contra*, learned State Counsel on instructions from S.I. Gurdeep Kumar opposed the bail while submitting that petitioner is facing eight other criminal cases, including six under the NDPS Act. Also submits that bail application of co-accused Hawaldar Rattan Singh has already been dismissed by this Court, vide order dated 31.10.2023, and petitioner was in constant touch with him.

(5) Heard both sides and perused the paper-book.

(6) It is not in dispute that petitioner is facing six cases under the NDPS Act apart from other criminal cases and details of the same are as under:-

| Sr. No. | Details of FIR(s)                                                                                                                                                    |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.      | FIR No.142 dated 23.08.2021, under Section 21 of the NDPS Act, registered at Police Station STF, Phase-4, Mohali                                                     |
| 2.      | FIR No.168 dated 02.09.2019, under Sections 452, 325, 379-B, IPC, registered at Police Station Guruharsahai                                                          |
| 3.      | FIR No.93 dated 10.08.2021, under Sections 22, 29 of the NDPS Act, registered at Police Station Guruharsahai                                                         |
| 4.      | FIR No.216 dated 30.08.2022, under Section 22 of the NDPS Act, registered at Police Station Guruharsahai                                                             |
| 5.      | FIR No.263 dated 07.10.2022, under Sections 21, 29 of the NDPS Act, registered at Police Station Guruharsahai                                                        |
| 6.      | FIR No.152 dated 15.06.2022, under Sections 21, 29 of the NDPS Act, registered at Police Station Guruharsahai                                                        |
| 7.      | FIR No.348 dated 15.09.2022, under Sections 21, 29 of the NDPS Act, registered at Police Station City, Ferozepur                                                     |
| 8.      | FIR No.92 dated 02.03.2023, under Sections 307, 427, 279, IPC; Section 25 of the Arms Act; Section 21 of the NDPS Act, registered at Police Station City, Ferozepur. |

- (7) Also not in dispute that bail application of co-accused Rattan Singh has already been rejected and petitioner was in constant touch with him at relevant point of time.
- (8) In view of the above, custodial interrogation of the petitioner would be the only way out to unearth the truth. Hence, there is no option except to dismiss the petition.
- (9) Ordered accordingly.
- (10) The above observations may not be construed as an expression of opinion on merits of the case.
- (11) Pending application(s), if any, shall also stand disposed off.

November 17<sup>th</sup>, 2023  
Gagan

( MAHABIR SINGH SINDHU )  
JUDGE

|                           |     |
|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | Yes |