

S. No.226

2024:PHHC:007992

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-241 of 2024

Date of Decision:20.01.2024

Jagdish Banjara

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. R.P.S. Jammu, Advocate with
Mr. Naveen Sihag, Advocate for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (Oral)

On the last date of hearing, following order was passed by this
Court:-

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.20 dated 27.01.2023 registered under Sections 17B/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Nathusari Chopta District Sirsa.

As per allegations, 530 grams of opium contained in a transparent polythene bag was recovered from co-accused Malkiat. On his disclosure statement, petitioner was nominated to be the supplier.

It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated on the basis of disclosure statement of co-accused, which is not admissible; that petitioner is not involved in any such case and that the petitioner is ready to join the investigation.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts notice on behalf of the respondent- State.

Learned State Counsel, on instructions from Inspector Ishwar Singh, submits that an amount of `20,000/- was transferred in the account of the co-accused Malkiat Singh by the petitioner on 19.01.2023, i.e. just a few days prior to the recovery effected from Malkiat Singh. Learned State Counsel further

informs that during the period from 12.07.2022 to 19.01.2023, as many as 19 transactions took place between the petitioner and the co-accused.

Adjourned to 20.01.2024 for filing detailed status report.”

Detailed status report has already been filed by the respondent- State, which has been received through Registry.

As per the status report, even the call detail records confirmed the regular conversation between the petitioner and the co-accused and the amount paid by the petitioner through google pay.

In view of the afore-said circumstances, the custodial interrogation of the petitioner may be required to unearth the truth. No case is made out for grant of anticipatory bail.

Dismissed.

January 20, 2024
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Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No

(DEEPAK GUPTA)
JUDGE