

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

102. CRM-M No.4221 of 2024 (O&M)
Date of Decision:29.01.2024

Joginder ... Petitioner

Versus

State of Haryana ... Respondent

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Lipika Mamli, Advocate for
Mr. R.S. Mamli, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.306 dated 27.07.2023 (Annexure P-1) registered under Section 21(b) and 27-A of the NDPS Act at Police Station Bhuna, District Fatehabad.
2. Learned counsel for the petitioner *inter alia* contends that the petitioner is not named in the FIR and he has been implicated in the said case only on the basis of the statement suffered by the co-accused. No recovery has been effected from him. In fact, alleged recovery of 13.50 grams of heroin was effected from the co-accused, which falls within the ambit of non-commercial quantity.
3. Ms. Geeta Sharma, DAG, Haryana, who appears on advance notice, opposes the prayer made by the counsel appearing for the petitioner on the ground that the petitioner is a habitual offender. He is involved in two more

cases under the NDPS Act and he is alleged supplier of the contraband recovered from the co-accused.

4. Having heard learned counsel for the parties and after perusing the record of the case, this Court does not find any merit in the arguments raised by the counsel appearing for the petitioner. The custodial interrogation of the petitioner is required in the instant case to unearth the chain of supply of the alleged contraband. Consequently, the instant petition stands dismissed.

(HARPREET SINGH BRAR)
JUDGE

January 29, 2024
Pankaj*

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