

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

102. CRM-M No.10795 of 2024 (O&M)
Date of Decision:29.02.2024

Harmanpreet Singh @ Harman @ Chibba ... Petitioner

Versus

State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Navjot Singh, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. grant of anticipatory bail to the petitioner in FIR No.33 dated 14.02.2024 (Annexure P-1) under Sections 21 (c) and 29 of the NDPS Act, 1985 registered at Police Station Chheharta, District Police Commissionerate, Amritsar, Punjab.
2. Learned counsel appearing for the petitioner *inter alia* contends that the petitioner has been nominated as an accused only on the basis of disclosure statement made by the co-accused, which is hit by Section 27 of the Indian Evidence Act, as it has no evidentiary value in the eyes of law. There is nothing on record to prove conscious possession of the petitioner over the alleged contraband, which was recovered from the conscious possession of the co-accused.
3. Mr. Subhash Godara, Addl. A.G., Punjab appears on advance notice for the respondent-State and opposes grant of anticipatory bail to the petitioner on the ground that he is involved in two more cases, out of which one is

registered under the provisions of the NDPS Act. He is the supplier of the contraband recovered from the co-accused and as such, his custodial interrogation will be required to ascertain the source of contraband and also the *modus operandi* adopted by the petitioner in selling the same.

4. Having heard learned counsel for the parties and after perusing the record, this Court finds no ground to grant anticipatory bail to the petitioner, in view of the law laid down by the Hon’ble Supreme Court in *State by the Inspector of Police Vs. B. Ramu* passed in SLP (Crl.) No.8137 of 2022 decided on 12.02.2024.

5. Dismissed.

(HARPREET SINGH BRAR)
JUDGE

February 29, 2024
Pankaj*

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