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

CRM-M-15335-2024

Date of decision: 22.03.2024

Resham Singh

....Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

Mr. Manish Bansal, PP,
for the respondent-U.T. Chandigarh.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.476 dated 25.12.2023 (Annexure P-1) under Sections 21/22/29 of NDPS Act, 1985 registered at Police Station 36, Chandigarh.

Learned counsel for the petitioner *inter alia* contends that admittedly, the petitioner was not apprehended at the spot and the alleged contraband was recovered from the co-accused. The petitioner has been involved in this case only on the basis of disclosure statement made by co-accused-Sukhpreet Singh while in police custody which has no evidentiary value in the eyes of law.

Per contra, the learned State counsel opposes the grant of anticipatory bail to the petitioner on the ground that during the investigation, it is revealed that the petitioner is a kingpin of a drug syndicate being operated from Canada and the petitioner has his supply links in Kapuwara, J&K and the

co-accused, Sukhpreet Singh, has accompanied the petitioner to Jammu & Kashmir, whereas, co-accused, Gagan received three deliveries of 4 kg heroin each from Srinagar and handed it over to the petitioner and one Pardeep in Chandigarh. He visited Kashmir from 09.10.2023 to 13.10.2023 and 28.10.2023 to 29.10.2023 and also on 24.11.2023. The petitioner used to pay Rs.2 lakh for receiving one consignment of delivery and on the direction of the petitioner, the amount was deposited in two bank accounts of the residents of Jammu & Kashmir and the petitioner has purchased properties from the earning generated by selling the drugs, the details of which, have already been obtained. He further submits that the petitioner is involved in two more cases in Punjab and in one case, he is wanted in Gujarat under N.D.P.S. Act.

Having heard learned counsel for the parties, this Court finds no merit in the arguments advanced by learned counsel for the petitioner and keeping in view the serious allegation and the fact that the investigation is still at the initial stage, the custodial interrogation of the petitioner is essential to unearth the supply chain of the drug racket and also the *modus operandi* and the manner in which the delivery of the contraband is made.

In view of the ratio of law laid down by the Hon’ble Supreme Court in ‘State by the Inspector of Police Vs. B. Ramu’ Special Leave to Appeal (Crl.) No(s).8137/2022 decided on 21.10.2022, the present petition is dismissed.

(HARPREET SINGH BRAR)
JUDGE

22.03.2024
Neha

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