



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

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CRM-M-27338-2024

Date of decision: August 5th, 2024

Naveen Fogat

.....Petitioner

Versus

Narcotics Control Bureau

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sanjeev Kumar Bhar, Advocate
for the petitioner.

Mr. Tajeshwar S. Sullar, Central Govt. Counsel, NCB
with Mr. Himanshu Bansal, Advocate.

MANJARI NEHRU KAUL, J.

This is a second petition filed by the petitioner seeking the concession of interim bail for four weeks in Criminal Complaint No.VIII/31/DZU/2023 dated 13.06.2023 under Sections 21(c)/22(c)/23(c) and 29 (Section 8 added later on) of the NDPS Act, 1985, and Section 200 of the Cr.P.C. registered by Delhi Narcotics Control Bureau.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case for his alleged involvement in the sale and supply of LSD blot papers and cocaine. It has been further submitted that the petitioner's false implication finds credence from the fact that he came to be nominated as an accused only in a disclosure statement allegedly suffered by co-accused. It has further been submitted that the father of the petitioner passed away on 14.01.2024, and subsequently he was granted interim bail for 20 days w.e.f. 15.01.2024, to perform the last rites of his father. However, the

interim bail granted to the petitioner was cancelled only on the ground that he was unable to abide by one of the conditions imposed by the trial Court i.e. of surrendering his passport. Learned counsel has submitted that since his passport was untraceable, he was unable to abide by the said condition. It has still further been prayed that the deceased father of the petitioner was an employee of the Haryana Transport Department and since certain formalities were required to be carried out with respect to his father's service benefits etc. he be extended the concession of bail. It has also been submitted that the petitioner has been in custody since 30.10.2023, investigation is complete and, therefore, his further incarceration would serve no useful purpose. An alternate prayer has also been made for the grant of interim bail for a period of four to six weeks.

3. *Per contra*, learned counsel appearing for NCB has vehemently opposed the prayer and submissions made by the learned counsel for the petitioner. It has been submitted by the learned standing counsel for NCB that the petitioner is the kingpin of one Zambada cartel, which has links with drug syndicates outside India, and the petitioner is actively involved in the trafficking of LSD and MDMA contraband, which has been wreaking havoc upon the youth. It has been also submitted that on an earlier occasion as well, the petitioner was extended the concession of interim bail, however, the said concession was cancelled as the petitioner had failed to abide by the conditions imposed. Learned counsel has, therefore, vehemently prayed for the dismissal of the instant petition in view of the petitioner's criminal antecedents as it is a matter of record that he is involved in two other cases under the NDPS Act involving huge commercial quantities.

4. I have heard learned counsel for the parties and perused the relevant material on record.
5. *Prima facie*, the petitioner appears to be the kingpin of a drug cartel. It is a matter of record that he is booked under two more cases under the NDPS Act involving huge contraband and narcotic substances.
6. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to accept the prayer of the petitioner and enlarge him on bail.
7. The instant petition stands dismissed.
8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

August 5th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No