



CRM-M-39113-2024

-1-

229

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

CRM-M-39113-2024

Date of Decision:- 10.12.2024

Arjun Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gulshan K. Moudgil, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.(Oral)

Petitioner Arjun Kumar has filed anticipatory bail petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No. 68 dated 01.05.2024, registered under Section 27-A, 29 of Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station Dinanagar, District Gurdaspur.

2. As per the facts of case, on 01.05.2024, ASI Ramesh Kumar and police party was on routine patrol duty. They signaled a private bus to stop in front of Sugar Mill, Paniar and started checking. During checking, a young boy sitting along with other passengers holding a black coloured kit bag got nervous. On the basis of suspicion, he was told to alight from bus and on search of said kit bag, cash of Rs. 3,40,000/- in Indian currency were recovered and as per his disclosure, he received said money after selling heroin to a person in Jammu. He further stated that contraband was handed over to him by Bahadur Singh, resident of Tarn Taran for



CRM-M-39113-2024

-2-

transporting it to Jammu. On the basis of this recovery, present FIR was registered under Section 27(A), 29 of NDPS Act.

3. Learned counsel for petitioner argued that as per contents of FIR, there is nothing on record to show that said money was earned by selling heroin. Allegations are false. Alleged recovery has been effected and present petitioner is behind the bars from the date of his apprehension. He will abide by terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report has been filed. It is pointed out that petitioner was apprehended with huge amount of Rs. 3,40,000/- which he admittedly earned by sale of heroin in Jammu. Considering the huge recovery as drug money, petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. As per status report, after completion of investigation, challan has been prepared. It is a case of recovery of huge cash amount which he allegedly received by delivery of heroin to some person in Jammu. Facts of the case will be decided after recording of prosecution evidence. Even in bail application, it is nowhere explained how petitioner was in possession of said cash amount. Considering the stringent provisions of Section 37 of NDPS Act, I do not find a fit case for grant of regular bail and same is accordingly, dismissed.

10.12.2024

lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No