



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

CRM-M-46078-2024

Date of Decision:16.09.2024

Satveer Singh

...Petitioner

VS.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Ashok Giri, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him, in case FIR No.198 dated 14.07.2024 under Section 15 of NDPS Act registered at Police Station Pehowa, District Kurukshetra (Annexure P-1).

2. The FIR in the present case was registered on the basis of secret information. As per the secret information received by the police, Satveer Singh, petitioner and his father Harjinder Singh used to indulge in selling of poppy husk in the area. They used to bring poppy husk in their vehicles from Rajasthan and Madhya Pradesh. As per the secret information, they had loaded poppy husk in their vehicles i.e. HR-26BC-0075 make Fortuner and vehicle No. DL-5CP-7328 make Verna and the said vehicles were parked in their house and they had the plans to supply the poppy husk further at night. On finding the information reliable, a police team reached at the place of recovery and Harjinder Singh, father of the petitioner was apprehended along with 223

Kgs of poppy husk, contained in 13 plastic sacks, which were recovered from the vehicles parked in the house of Harjinder Singh and his son Satveer Singh i.e the petitioner.

3. As per the case of the prosecution, at the time of recovery of commercial quantity of poppy straw, Harjinder Singh co-accused/ father of the petitioner was apprehended at the spot, whereas, the petitioner had managed to run away from the spot.

4. Learned counsel for the petitioner contends that as per the story of the prosecution, eight police officials had raided the house of the petitioner and it is highly improbable that the petitioner had managed to flee from the place of recovery. He further contends that even though petitioner is facing two more prosecutions under the provisions of NDPS Act, but ultimately, no conviction has been recorded against him so far and there is presumption of innocence in his favour. Learned counsel for the petitioner vehemently argued that in fact, due to party faction in the village, the petitioner has falsely involved at the instance of *Sarpanch* of the village and the present petition is liable to be allowed by this Court.

5. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the two more FIRs under the NDPS Act have been registered against the present petitioner and he had escaped from the spot. She further contends that the petitioner is a habitual offender and the huge quantity of poppy husk i.e the commercial quantity has been recovered from the vehicles parked at the house of the present petitioner and his father namely Harjinder Singh was arrested from the spot itself. Thus, there is sufficient evidence against the present

petitioner and he does not deserve the concession of anticipatory bail.

6. I have heard learned counsel for the parties and perused the record with their able assistance.

7. In the present case, it is apparent that on getting the secret information, the commercial quantity of contraband was recovered from the vehicles parked at the house of the petitioner. Apart from that, in the present case, it has been found that the petitioner is involved in two more criminal cases, which were also registered under the provisions of NDPS Act and in the present case also, sufficient evidence has already been collected against him, which prima facie proves his involvement in the crime. Finding no merits, this Court is of the considered opinion that the custodial interrogation of the petitioner would be required to know the source of supply of contraband to the petitioner and his father and also to know the names of their co-accused, in the present case, to whom poppy husk was yet to be supplied by the petitioner and his father.

8. Without commenting further on the merits of the case, the present petition is accordingly, dismissed.

16.09.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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