

CRM-M-56453-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-56453-2024

Date of Decision : 17.12.2024

Sukhsagar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Nafeesh Ahmed, Advocate
for the petitioner.

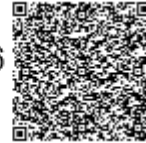
Mr. Gaurav Bansal, DAG Haryana

KIRTI SINGH, J.(Oral)

1. Apprehending arrest in FIR No.397 dated 17.10.2024, under Section 20 of the NDPS Act, 1985 and Section 42 of Prisons Act, 1894 registered at Police Station Sadar Nuh, District Nuh, Haryana the petitioner has preferred this petition under Section 438 Cr.P.C. for grant of pre-arrest bail.

2. The contents of the above-mentioned FIR are reproduced herein below :-

“From- Jail Superintendent, District Jail, Nuh. To. Police Station officer, Police Station Sadar, Nuh. No. 5439 dated 17/10/24 Subject: To take appropriate legal action. Regarding the above subject, it is respectfully informed to your service that today on 17.10.2024 at about 10 am on the basis of secret information, a search was conducted of prisoner Amarjeet son of Ajit, which was conducted under the by Officer Rakesh Kumar, Warder Sanjay Kumar 410 and Wazir Singh-1090 and Warder Dharamveer-2197 Singh, substance sulphur was recovered from the prisoner. The prisoner told during



interrogation that I have taken it from prisoner Ashok son of Somveer and had to give it to prisoner Sandeep son of Omprakash. Prisoner Sandeep son of Omprakash and prisoner Ashok son of Somveer admitted that this is our stuff. During interrogation, prisoner Ashok son of Somveer told that this (sulfa) substance was brought to me by sweeper Sukhsagar who is employed in the jail, on weighting it was found 24 grams.

You are requested to take appropriate legal action against all the above culprits.”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case and he is Sweeper in jail. He has been nominated on the basis of disclosure statement of co-accused Amarjeet, Sandeep and Ashok. The petitioner is a man of clean antecedents.

4. Per contra, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. Learned State counsel while placing reliance upon the status report dated 06.12.2024 submits that as per investigation the petitioner received Rs. 10,000/- from co-accused Vicky as bribe for supplying Sulpha for Narcotic Substance to convicts Amarjeet, Sandeep and Ashok. He further submits that name of the petitioner has been disclosed by his co-accused namely Amarjeet, Sandeep and Ashok.

5. Heard the rival submissions made by learned counsel for the parties.

6. There are serious allegations leveled against the petitioner. The petitioner was working as Sweeper in the jail and he allegedly received bribe of Rs. 10,000/- for supplying narcotic substance to the convicts, who were lodged in the jail. This Court does not deem it appropriate to interfere in the matter so as to

grant the concession of anticipatory bail to the petitioner at this stage.



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7. The petition is dismissed.

(KIRTI SINGH)
JUDGE

17.12.2024
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No