

(2012) 08 P&H CK 0287

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM No. M-18942 of 2012

Ranbir Singh @ Sonu

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision: Aug. 21, 2012**Acts Referred:**

- Criminal Procedure Code, 1973 (CrPC) - Section 438
- Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS) - Section 15

Citation: (2012) 08 P&H CK 0287**Hon'ble Judges:** Jitendra Chauhan, J**Bench:** Single Bench**Advocate:** KS Dhaliwal, for the Appellant; Rudraneel Bhardwaj, AAG, Haryana, for the Respondent**Final Decision:** Dismissed

Judgement

Jitendra Chauhan, J.

By filing the present petition u/s 438 of the Code of Criminal Procedure, the petitioner has sought pre-arrest bail in case FIR No. 42 dated 13.5.2012, registered u/s 15 of the Narcotic Drugs and Psychotropic Substances Act at Police Station Siwan, District Kaithal. Heard.

2. Though the petitioner has joined the investigation, but he is not cooperating in the investigation. Learned State counsel has produced a copy of FIR No. 165 dated 20.7.2012 and states that the petitioner is also involved in the said case registered under the NDPS Act. The petitioner is a habitual offender.

3. The Hon'ble Supreme Court in State rep. By the [State Rep. by the C.B.I. Vs. Anil Sharma](#), has held as under:-

The custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order u/s 438 of Cr.P.C.

4. In the present case, the custodial interrogation of the petitioner is required. Accordingly, no case is made out to grant pre-arrest bail to the petitioner. Dismissed.