

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

**Crl. Misc. No.M-10980 of 2015
Date of decision : 17.07.2015**

Vinod @ Golu

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Gurdas Singh Salwara, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.225 dated 04.06.2011, registered under Section 15/16/61/85/27-A of the NDPS Act, Police Station Sadar Bhiwani, Distt. Bhiwani.

Heard.

The counsel for the petitioner contends that no recovery from the petitioner had been effected and he was named by the co-accused. The counsel further contends that the petitioner was not declared proclaimed offender. Counsel for the petitioner contends that the trial against some of the accused had ended in acquittal and the trial is taking long and bail may be allowed.

The petitioner had specifically pleaded that he was never declared proclaimed offender but on perusal of the judgment Annexure P-1 it was found that there was a reference that the petitioner has been declared proclaimed offender. The State was asked to file its response and it has been reported that proceedings under Section 82/83 Cr.P.C. were initiated. However, during the pendency of those proceedings, the petitioner was arrested by Hisar Police in an FIR registered under Section 307 IPC and then production warrants were issued and the petitioner was joined in this case on 03.09.2014.

The State counsel submits that the petitioner is a habitual offender and there were five cases pending against him and he was undergoing sentence in one case.

The State counsel submits that accused who were acquitted were the owner and the purchaser of the vehicle in which the narcotic substance were found and were given the benefit of doubt and the allegations against the petitioner are that he was the sub-supplier. Counsel further submits that 11 prosecution witnesses have been examined and evidence is being recorded.

Besides the present case under the NDPS Act, there is one more case pending against the petitioner which relates to the year 2011. The petitioner is also facing one trial under Section 174-A IPC. Proceedings under Section 82/83 Cr.P.C. had been commenced against the petitioner in the present FIR but those were not brought to its logical end. Three years later, the petitioner was arrested in some other case and then production warrants were issued and the

petitioner was joined in this case. Considering his background, no case for bail is made out.

The petition is dismissed.

17.07.2015
sunil

(ANITA CHAUDHRY)
JUDGE