

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-21618-2015
Date of decision:7.7.2015**

Krishan Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Bijender Dhankhar, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.118 dated 22.6.2015 registered under Sections 15, 61 and 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station, Ding, District Sirsa.

Learned counsel for the petitioner submits that in spite of the fact that petitioner was facing some other cases under the NDPS Act, in the present case there was no definite allegation against the petitioner that he was dealing in poppy husk. He further submits that the story put forth by the prosecution is highly improbable. It does not appeal to reason that the petitioner would be in a position to escape from the spot in the presence of four police officials. He prays for allowing the present petition.

Having heard the learned counsel for the petitioner, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that keeping in view the totality of facts and circumstances of the case, petitioner has not been found entitled for the concession of pre-arrest bail. It is so said, because petitioner has not been found the first offender. He is already facing other criminal cases including under the NDPS Act. In fact, petitioner was a convict under the NDPS Act vide judgment of conviction dated 10.12.2007.

In view of the above and without commenting anything further on merits, at this stage, lest it should prejudice the rights of either of the parties, this Court is of the considered view that custodial interrogation of the petitioner would be a compulsive necessity of the investigating agency so as to carryout out an effective investigation. No case for anticipatory bail is made out.

Dismissed.

**7.7.2015
mks**

**(RAMESHWAR SINGH MALIK)
JUDGE**