

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

**CRM-M-23845 of 2015
Date of Decision: 18.8.2015**

Nirmal Singh @ Dehla

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Mr. K.D.Sachdeva, Additional A.G. Punjab.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 198 dated 4.11.2014 under Sections 399/402/411/414/489-A/489-B/489-C/120-B IPC, Sections 18/21/22/61/85 of the NDPS Act, Sections 25/27/54/59 of Arms Act and Sections 3/34/20 of the Indian Passport Act, registered at Police Station Civil Line Batala, Police District Batala, District Gurdaspur.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. A false recovery has been implanted on the petitioner. He further submits that on moving an application dated 3.11.2014 (Annexure P-2), by the father of the petitioner, petitioner was implicated in the present case. He concluded by submitting that since the prosecution evidence is yet to start, conclusion of trial will take long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Manohar Lal, submits that petitioner has been found involved in as many as seven more cases, which shows that petitioner is a habitual offender. He further submits that the application Annexure P-2 was moved only for the purpose of putting counter pressure on the investigating agency. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of bail pending trial. It is so said, because the petitioner has been found involved in as many as seven more cases, including under the NDPS Act. Further, allegations against the petitioner are direct and serious.

In view of the above and without commenting anything further on the merits of the case, at this stage, lest it should prejudice the rights of either of the parties, no case for bail pending trial has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

18.8.2015
Ak Sharma