

CRM-M-41461 of 2017

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

CRM-M-41461 of 2017
Date of Decision: 03.11.2017

Gurjeet Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Manish Kumar Singla, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 read with Section 438 Cr.P.C. has been made for quashing the order dated 03.09.2015 (Annexure P-1) and for grant of anticipatory bail to the petitioner in case FIR No.64 dated 30.04.2015 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 NDPS Act added later on) registered at Police Station Cheeka, District Kaithal.

According to the prosecution, on secret information, vehicle bearing registration No.HR-29R-6808 was intercepted. However, the driver of the aforesaid car succeeded in running away. On search, 200 gms of poppy husk was found and recovered from the said car. During investigation, petitioner was found to be carrying the aforesaid contraband illegally.

Learned counsel for the petitioner *inter alia* contends that the petitioner was not apprehended at the spot nor was named in the FIR in

question. On search of the offending vehicle, a driving license of one Rajinder Kumar and identity card of one Banke was found. The petitioner

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has nothing to do with the alleged recovery. The police falsely wants to implicate the petitioner.

Heard.

Perusal of the file shows that two more cases under the NDPS Act of the years 2006 and 2014, are registered against the petitioner. That apart, petitioner has been booked under Section 174A IPC in the year 2016. The above factual aspect of the case shows that the petitioner is a habitual offender.

Considering above facts and circumstances, petitioner does not deserve the concession of anticipatory bail. Hence, the petition is dismissed.

November 03, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No