

**Sr. No.212
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-49832 of 2017 (O&M)

Date of Decision: 21.02.2018

Rano

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Ashok Giri, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.290 dated 04.09.2017, under Sections 22/29/64/85 of NDPS Act, registered at Police Station Sadar Nakodar, District Jalandhar Rural.

Counsel would argue that no recovery was effected from the petitioner. Even as per prosecution version, recovery was from a co-accused, namely, Geeta of 150 grams of intoxicant powder. It is further argued that the petitioner has been falsely implicated as one ASI Sukhdev Singh is inimical towards the petitioner. Further stated that allegations of harassment have been levelled against the ASI Sukhdev Singh in a separate petition i.e. CRM No.M-33593 of 2017 and which is pending before this Court after issuance of notice of motion.

Notice of motion was issued in the instant petition on

08.01.2018 and arrest of the petitioner had been stayed.

Learned State counsel who is on instructions from ASI Sukhdev Singh has apprised the Court that the petitioner is a habitual offender inasmuch as she has already been convicted in four other cases under the NDPS Act.

State counsel further submits that apart from the present FIR, petitioner is facing trial in 04 other FIRs under the NDPS Act.

Such assertion and stand taken on behalf of the State has not been rebutted by counsel representing the petitioner.

Apparently petitioner is a habitual offender. Antecedents of the petitioner are suspect.

This Court would not be inclined to extend the concession of pre arrest bail to the petitioner.

Petition is dismissed.

21.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No