

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

CRM-M No.32930 of 2018
Date of decision: 29th May, 2019

Anil Kumar @ Laddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. M.S. Saini, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Learned State counsel has placed on record affidavit of Mr.J. Elanchezhian, IPS, Senior Superintendent of Police, District Hoshiarpur highlighting the criminal track record of the petitioner.

Allegations against the petitioner Anil Kumar alias Laddi in this first regular bail application under Section 439 Cr.P.C. in case bearing FIR No.61 dated 06.11.2014 under Sections 382, 392, 394, 354, 395, 386, 353, 447, 482, 108, 506, 509 IPC and sections 22, 29, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 pertaining to Police Station Gardhiwala, District Hoshiarpur, are as follows:-

Present case was got registered by the police of Police Station Gardhiwala, District Hoshiarpur on the basis of a secret information wherein the informer told the police officials that the petitioner along

with his co-accused non-applicants namely, Billa, Vimal, Chander Shekher, Jyoti, Chandan Karyaney Wala, Shera, Davinder Singh alias Sonu, Prithi, Vicky, Maanu, Gagni, Gurwinder Singh alias Govinda, Parvinder Singh alias Pawan, Vikramjit Singh alias Vicky, Mandip Singh, Aman Barber, Amarjit Singh alias Kota, Sarabjit Singh alias Sabi, Sunny, Harpreet Singh alias Kali, Pakha, Dalvir Singh, Jyoti, Sarabjit Singh alias Seeta, Shinda and Khud; were carrying on nefarious trade in procuring and selling narcotics to youngsters in District Hoshiarpur and have stored it at various places. It was further alleged that accused were carrying on activities of snatching vehicles, demanding ransom and threatening people and have created ruckus in the area, and on the basis of which, the present case was registered and the accused petitioner was apprehended on 17.11.2014 and on the leads given by the present petitioner, 90 grams of diphenoxylate hydrochloride besides an Alto car was recovered.

Learned counsel for the petitioner Mr. M.S. Saini, Advocate inter alia contends that the petitioner is behind bars in this case since a long time and in most of the cases he has been acquitted and has sought to challenge the alleged claim of the police as to recovery of commercial quantity of narcotics and on the grounds that the trial is not likely to accomplish in the near future has prayed for grant of the relief.

On behalf of the State, Mr. A.S. Sandhu, Addl. Advocate General, Punjab on instructions from ASI Satpal Singh, Police Station

Gardhiwala, District Hoshiarpur has opposed the grant of bail on the grounds that the petitioner belongs to a gang of persons who were carrying on illegal activities and has placed on record the criminal track record of the petitioner, arguing further that as per the records the petitioner is facing allegations in 13 criminal cases in various States throughout the country and has shown apprehension that if allowed bail the petitioner might abscond and stifle the trial.

Appreciating the submissions of the two sides, the criminal track record placed on the records of this case is itself suggestive of the standing of the accused in the world of crime. A commercial quantity of narcotics has been recovered from the petitioner. Without feeling necessity to further advert on to the merits of the case, else it might prejudice the case of the petitioner, this Court is not inclined to allow the bail. The petition is dismissed accordingly.

(FATEH DEEP SINGH)
JUDGE

May 29, 2019
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No