

Sr.No.104

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

CRM-M-53554-2019
Date of decision:16.12.2019

Ramesh @ Lilu Ram

... Petitioner(s)

versus

State of Haryana

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.482, dated 24.11.2019 registered under Section 21(b) of NDPS Act, 1985 at Police Station Sadar Fatehabad, District Fatehabad (Haryana).

Learned counsel for the petitioner has submitted that petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused, namely, Rahul and Jaiveer @ Rinku and that the petitioner had no concern with the recovery of 9 gms of heroine from the co-accused. Learned counsel for the petitioner has further stated that petitioner is ready to join the investigation as and when required under Section 438(2) Cr.P.C.

On specific inquiry asked from the petitioner with regard to his involvement in some other case, he has pointed out to para No.5 of the order dated 09.12.2019 passed by the learned Additional Sessions Judge, Fatehabad (Annexure P-2) in which it has been incorporated that the petitioner is involved in 10 other cases. However, he has not been able to

dispute the factum of the same. The orders passed by the Additional Sessions Judge, Fatehabad also shows that the petitioner is also involved in 10 other criminal cases out of which one case of FIR No. 68 dated 22.05.2004 registered under Sections 148, 149, 323, 325, 506 IPC at Police Station Bhattu Kalan and some other cases are still pending against the petitioner. Apart from this, the allegation against the petitioner is that he had supplied heroine to Rahul and Jaivir @ Rinku.

In view of the above, as the matter being serious in nature, this Court does not deem it fit to grant pre-arrest bail to the petitioner at this stage. Therefore, considering the totality of circumstances of the case, present petition is dismissed.

However, this is not to be treated as expression of any opinion or observations regarding the merits of the case.

16th December, 2019
Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*