

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-7207-2020(O&M)

Date of decision: 12.03.2020

Pardeep Kumar @ Deepu

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr.Jivtesh Singh Negi, Advocate for the petitioner

Mr. D.Khanna, Addl. AG, Haryana

**ANIL KSHETARPAL, J. (ORAL)**

This is second petition for grant of regular bail to the petitioner in FIR No. 42 dated 25.6.2019 registered under Sections 20, 61 of NDPS Act at Police Station Mansa Devi Complex, Panchkula.

First petition was dismissed on 19.10.2019 with the following order:-

“Petitioner prays for regular bail in FIR No.0042 dated 25.06.2019, under Sections 20,61,85 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Mansa Devi Complex, District Panchkula.

As per the case of the prosecution, from the conscious possession of the petitioner, 300 gm charas was recovered which although does not fall in

commercial quantity as notified by the Central Government, however, petitioner is involved in three more criminal cases under NDPS Act.

Learned counsel for the petitioner submits that co-accused of petitioner i.e Ashish Kumar has been enlarged on bail by the Special Court, Panchkula vide order dated 26.07.2019.

On careful reading of the aforesaid order, it is apparent that co-accused was involved in case on the basis of disclosure statement of the petitioner and there was no recovery of any narcotic substance from Ashish Kumar. Hence, petitioner cannot claim parity.

Keeping in view the facts of the case, this Court is of the view that petitioner who appears to be a habitual offender does not deserve concession of bail.

Dismissed.”

Learned counsel for the petitioner contends that the petitioner was involved in three more cases under the NDPS Act, out of which in one case he has been acquitted and in remaining two, he has been granted concession of bail.

Learned State counsel on instructions from ASI Karnail Singh has submitted that trial of the case has already made substantial progress as evidence of seven prosecution witnesses has been recorded.

Keeping in view the fact that the trial of the case is already

at an advanced stage, therefore, this Court is not inclined to consider prayer for grant of bail to the petitioner. However, learned Trial Court is requested to conclude the trial positively within three months.

Disposed of.

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|---------------------------|-------------------|
| 12.03.2020                | (ANIL KSHETARPAL) |
| rekha                     | JUDGE             |
| Whether speaking/reasoned | Yes / No          |
| Whether Reportable        | Yes / No          |