

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

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CRM-M-10273-2020(O&M)

Date of decision : 12.03.2020

Manish Kumar

.....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S.Mamli, Advocate, for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

This is second petition for grant of pre-arrest bail to the petitioner in a criminal case arising out from FIR No.0021, dated 13.01.2019, registered under Section 21(b) of the NDPS Act, 1985, at Police Station City Fatehabad, District Fatehabad.

First bail application was dismissed on 19.11.2019 with the following order:-

“Petitioner prays for grant of pre-arrest bail in a criminal case arising out from FIR No.21, dated 13.01.2019, registered under Sections 21(b)/27-A of the NDPS Act, 1985, at Police Station City Fatehabad, District Fatehabad, Haryana.

On 01.10.2019, keeping in view the submissions made, petitioner was directed to join investigation.

Learned State counsel, on instructions from the Investigating Officer, who is present in Court, has submitted that the petitioner has not come forward to join investigation. It has further been pointed out that one more FIR under the NDPS Act has been registered against the petitioner on 31.10.2019.

Keeping in view the aforesaid facts, this court is not inclined to grant concession of pre-arrest bail.

Dismissed.”

Learned counsel for the petitioner contends that the petitioner could not join the investigation as he was wanted in another FIR registered under the NDPS Act on 31.10.2019. He, hence, submitted that the petitioner be granted another opportunity to join investigation. It was on 01.10.2019, the petitioner was granted opportunity to join investigation. Other FIR was registered only after a period of one month.

Still further, when first application was pending, the petitioner did not bring this fact to the notice of this Court.

Hence, no ground to grant the concession of pre-arrest bail is made out.

Dismissed.

March 12, 2020
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(ANIL KSHETARPAL)
JUDGE

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