

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-14317 of 2020 (O&M)

Date of decision:08.06.2020

Vikash alias Lal Bahadur

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

CRM No.12587 of 2020

Counsel for the applicant-petitioner submits that he will deposit the requisite process fee within a period of one week after the lockdown is over. Permitted to do so.

Application stands disposed of.

CRM-M-14317 of 2020

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.26 dated 12.03.2020, under Sections 21(b) and 27-A of [Narcotic Drugs and Psychotropic Substances Act, 1985](#) (in short “NDPS Act”) registered at Police Station Bhattu Kalan, District Fatehabad.

Notice of motion.

On asking of the Court, Mr. Sukhdeep Parmar, D.A.G, Haryana who is available on conference call accepts notice on behalf of the respondent. Advance copy of the petition has already been served on the State.

Counsel for the State has placed on record the details of the cases registered against the petitioner. The same is taken on record. A perusal thereof shows that besides the present FIR, the petitioner is involved in 07 other cases. The details thereof are as under:-

- i) FIR No.18 dated 01.03.2020 under Sections 21b/27A/61/85 of the NDPS Act registered at Police Station Bhattu Kalan, District Fatehabad
- ii) FIR No.19 dated 03.03.2020 under Sections 148/149/323/452 IPC and Sections 25-54-59 of Arms Act registered at Police Station Bhattu Kalan, District Fatehabad.
- iii) FIR No.193 dated 03.06.2015 under Sections 323/341/324/506 and 34 IPC registered at Police Station Bhattu Kalan, District Fatehabad.
- iv) FIR No.197 dated 28.08.2018 under Sections 285/307/323/506/34 IPC and Sections 25-54-59 of Arms Act registered at Police Station Bhattu Kalan, District Fatehabad.
- v) FIR No.138 dated 09.08.2016 under Sections 61-1-14 of Excise Act, 1914 registered at Police Station Bhattu Kalan, District Fatehabad.

vi) FIR No.148 dated 31.07.2019 under Sections 148/149/279/341/323/307/427/201 IPC registered at Police Station Bhattu Kalan, District Fatehabad.

vii) FIR No.217 dated 09.11.2019 under Sections 21b, 27-A, 61-85 of the [NDPS Act](#) registered at Police Station Bhattu Kalan, District Fatehabad.

Counsel for the State has submitted that the petitioner is yet to be arrested in two cases i.e. FIR No.18 dated 01.03.2020 under Sections 21b/27A/61/85 of the [NDPS Act](#) registered at Police Station Bhattu Kalan, District Fatehabad and FIR No.19 dated 03.03.2020 under Sections 148/149/323, 452 IPC and Sections 25/54/59 of the Arms Act registered at Police Station Bhattu Kalan, District Fatehabad.

Rebutting the stand of the State, Mr. Bishnoi, Advocate has submitted that the petitioner has been granted anticipatory bail in FIR No.18 dated 01.03.2020 by this Court in CRM-M-13783 of 2020, vide order dated 03.06.2020.

Counsel for the petitioner submits that all the FIRs have been registered at the same police station and he is being falsely implicated in them.

Irrespective of the fact that the petitioner has been granted anticipatory bail in case mentioned at serial number (i) above, the fact remains that over the last five years, the petitioner has been involved in eight different FIRs, out of which three cases are under the NDPS Act.

Keeping in view the above, the concession of anticipatory bail cannot be granted to the petitioner. Accordingly, the petition is dismissed.

(SUVIR SEHGAL)
JUDGE

June 08, 2020

savita

Whether Speaking/Reasoned

Yes

Whether Reportable

No