

CRM-M-19019-2020

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19019-2020

Date of Decision: September 24th, 2020

Baljeet @ Bittu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. HARMINDER SINGH MADAAN

Present Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

HARMINDER SINGH MADAAN, J. (ORAL)

Case taken up through video conferencing.

This petition for regular bail was filed by petitioner – Baljeet @ Bittu, aged about 27 years, resident of village Lalwas, Tehsil Ratia, District Fatehabad, who is an accused in FIR No.255, dated 25.09.2019, for the offence under Section 22 (b) of NDPS Act, registered at Police Station Sadar Ratia, District Fatehabad.

Briefly, the prosecution story is that on 25.09.2019, a police party was present at Kalotha-Khairpur turn, village Lalwas, when a young boy was seen coming from village Khairpur side carrying a polythene bag in his right hand. On seeing the police party, he threw away the polythene bag

and tried to run away but was apprehended. On checking the said polythene bag, 20 strips of Tramadol Hydrochloride Tablets 100 MG TREDOL-100, B.No. TDP 18006, carrying 200 tablets having total weight of 173 grams. 600 miligrams were recovered, which were taken into police possession and formal FIR was registered. The accused was arrested in this case. Accused had filed a petition for grant of regular bail before Additional Sessions Judge, Fatehabad, but the said petition was dismissed vide order dated 17.06.2020. As such, he has approached this Court for grant of regular bail, which is opposed by the learned State counsel.

Learned counsel for the petitioner states that the recovery involved in this case amounts to non-commercial quantity. The petitioner is behind the bars for almost one year and as such, he be granted regular bail.

Learned counsel for the State submits that the petitioner is a habitual offender involved in several criminal cases and therefore, the present petition be dismissed.

A perusal of the order passed by the Additional Sessions Judge, Fatehabad, dated 17.06.2020 goes to show that it is mentioned therein that the petitioner is involved in five other criminal cases, out of which three cases are under NDPS Act, two relating to commercial quantity i.e. FIR No.53, dated 21.01.2017, under Section 22 (C)/61/85 of NDPS Act, Police Station Ratia; FIR No.644 dated 20.11.2018, under Sections 22 (C)27-A/61/85 of NDPS Act, Police Station City, Fatehabad and another FIR No.160, dated 06.03.2017, under Sections 18/27-A/61/85 of NDPS Act, Police Station Ratia. It being so, the petitioner comes out to be a habitual

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offender and cannot be shown any sympathy because if he is released on bail, there is every possibility of his taking to path of crime again and indulging in drug trafficking. Therefore, no ground for grant of regular bail to the petitioner is made out.

The petition stands dismissed.

September 24th, 2020

Nisha

(H.S. Madaan)
Judge

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No