

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108)

CRM No. M-24421 of 2020

Date of Decision : 26.08.2020

Gurjeet Singh @ Chamkila

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. D.S. Virk, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Present petition has been filed under Section 438 of the Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No. 352 dated 09.08.2020, under Section 15 of the NDPS Act, registered at Police Station Rania, District Sirsa.

Learned counsel for the petitioner argues that the petitioner has been roped in on the basis of the statement of the co-accused, namely, Malak Singh. Learned counsel for the petitioner submits that as per the statement of Malak Singh, petitioner alongwith the said co-accused Malak Singh used to deal with the banned substance, which has been recovered from the possession of the said co-accused. Learned counsel further submits that as the petitioner has only been roped in on the basis of the statement of co-accused, namely, Malik Singh, which is yet to be proved in

the Court of law, the petitioner be granted the concession of anticipatory bail.

Notice of motion.

Mr. Sharad Aggarwal, learned Assistant Advocate General, Haryana, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State. Learned State counsel submits that petitioner is a habitual offender and there are two other cases, apart from the present case, which have been registered against him under the NDPS Act and, therefore, the petitioner may not be granted the benefit of anticipatory bail.

I have heard learned counsel for the parties and have gone through the record carefully.

Once, it is not disputed by learned counsel for the petitioner that there are other two cases registered against the petitioner under the NDPS Act, prima-facie, the petitioner is a habitual offender. Once, the antecedent of the petitioner shows that every time the petitioner has been extended the benefit of bail, he has indulged in the same activities, benefit of anticipatory bail cannot be extended to him.

That being so, no ground is made out to grant the anticipatory bail to the petitioner.

Dismissed.

August 26, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No