

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

CRM-M-27926-2020 (O&M)
Date of decision : 21.09.2020

Sulakhan Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

This is third application for grant of regular bail to the petitioner in a criminal case arising from FIR No.321, dated 16.08.2019, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter to be referred as “the Act of 1985”), at Police Station Sadar, Fatehabad, District Fatehabad.

On 20.07.2020, the second bail application of the petitioner was dismissed with the following order:-

“Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is second petition for grant of bail pending trial in a criminal case arising from FIR No.-321, dated 16.08.2019, registered under Sections 15/27-A/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Fatehabad, District Fatehabad.

The first application was dismissed on 07.11.2019 with the following order:-

“Petitioner prays for bail pending trial in criminal case arising out of FIR No.321 dated 16.8.2019 registered under Sections 15, 61 of NDPS Act at Police Station, Sadar Fatehabad.

Although alleged recovery from the petitioner is not of commercial quantity, however, the petitioner has already been convicted in two cases under NDPS Act and one under Gambling Act. Apart therefrom another case under NDPS Act is also pending against him. Police has completed the investigations and have submitted police report as required under Section 173 Cr.P.C.

Keeping in view the aforesaid facts, no ground to grant concession of regular bail is made out. However, learned Trial Judge is requested to take up this case on priority basis and decide the same preferably within six months. Disposed of.”

Learned counsel for the petitioner contends that the petitioner is in custody since 16.08.2019 and the recovery from the petitioner is not of commercial quantity.

On the other hand, learned counsel appearing for the State of Haryana has pointed out that the petitioner is a previous convict in a number of cases.

Keeping in view the aforesaid facts, this court is not

inclined to grant concession of bail to the petitioner.

Dismissed.”

Learned counsel for the petitioner contends that another co-accused of the petitioner, has been granted bail.

Be that as it may. The petitioner has already been convicted in two other cases under the Act of 1985 and another two cases are still pending against the petitioner.

Keeping in view the aforesaid facts, this Court is not inclined to grant bail to the petitioner.

Accordingly, the present petition is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-said judgment.

21.09.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No