

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

**CRM-M-30341 of 2020 (O&M)**

**DATE OF DECISION : 02.11.2020**

Raju @ Jaswinder

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

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

Mr. Bhupender Singh, DAG Haryana.  
(Presence marked through video conference).

**ARUN MONGA, J. (ORAL)**

1. Petitioner seeks regular bail in FIR No. 101 dated 16.03.2020, registered under Section 21(b) of Narcotic Drugs and Psychotropic Substances, Act, at Police Station Sadar Fatehabad.
2. Per FIR, on 16.03.2020 one Gurmeet @ Mita, on the basis of suspicion, was apprehended by the police and from his conscious possession 10.70 grams of heroin was recovered. He made a disclosed that he purchased the contraband for a sum of Rs.11,000/- from the petitioner. Pursuant thereto, petitioner was arrested on 30.04.2020. Since then he is in custody.
3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. Nothing was recovered from him. He, inter alia, contends that petitioner has been nominated in the case on the basis of custodial disclosure statement of co-accused, which is not admissible as evidence.

4. On the other hand, learned State counsel strongly opposes the bail plea. According to him, the petitioner is a habitual offender. He is involved in five other criminal cases, including three cases under the NDPS Act itself. He submits that every time he is released on bail, he again starts indulging in selling the narcotics substance. He points out that CRM-M-19227 of 2020 filed by co-accused Gurmeet @ Mita too was dismissed as withdrawn on 03.09.2020 when this very bench showed its disinclination to grant any concession.

5. Having heard learned counsel for the parties, I am of the opinion that given the antecedents of the petitioner and his past involvement in offences of similar nature, he does not deserve any concession. If enlarged on bail, the possibility of his getting involved in another offence under NDPS Act cannot be ruled out.

6. In the premise, petition is dismissed.

**(ARUN MONGA)**  
**JUDGE**

**November 02, 2020**  
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No