

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

**CRM-M-34751-2020
Date of decision: 30.10.2020**

Hardev Singh @ Dev

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to petitioner in case FIR No. 138 dated 06.08.2020, registered under Sections 21 and 29 of the NDPS Act, 1985 at Police Station City South Moga, District Moga.

The first petition, bearing CRM-M-25181-2020, was dismissed as withdrawn on 01.09.2020 by passing the following order:

“...Learned counsel for the petitioner submits that as per allegations in the FIR, the police recovered 20 grams of heroin from co-accused Mani and on the basis of his disclosure statement, the petitioner has been nominated as a person, from whom he has acquired the narcotic. It is further submitted that in fact, brother of the petitioner namely Jagdev Singh had solemnized marriage with one Prachi Gupta and he has obtained protection from this Court and said Jagdev Singh, who is also accused in an NDPS case, was also granted bail by

this Court and on that account, the petitioner has been implicated in the present case.

Learned State counsel has, however, submitted that the order in the protection petition was passed on 27.07.2020, whereas much prior to that, the petitioner is involved in as many as 12 FIRs, detail of which is given in the order passed by the Additional Sessions Judge, dismissing his application for bail and all these FIRs are prior to this date.

After hearing learned counsel for the parties, without commenting anything on merits of the case and looking into the antecedents of the petitioner, who is repeatedly involved in number of cases since long, I find no ground to grant anticipatory bail to the petitioner.

Faced with the above, learned counsel for the petitioner seeks permission to withdraw the present petition.

Dismissed as withdrawn.”

The only new ground taken by the petitioner is that he has undergone some surgery of his shoulder.

Learned State counsel has opposed the bail on the ground that petitioner was involved in as many as 12 FIRs and as on today, he is facing trial in 03 FIRs.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, finding no ground to grant concession of anticipatory bail to petitioner, the present petition is dismissed.

30.10.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No