

CRM-M-47652-2019 (O&M)

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

**CRM-M-47652-2019 (O&M).
Decided on: January 08, 2020.**

Hardeep Kumar @ Laddi

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Chandan Singh Rana, Advocate,
for the petitioner.**

Mr.M.S.Nagra, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C., the petitioner prays for the grant of regular bail in case FIR No.73 dated 30.05.2014, under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station, Kotwali Nabha, District Patiala.

In the present case, the petitioner-accused was granted bail by the Court of Judge Special Court - Fast Track Court, Patiala, on

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21.1.2015, under Section 167 (2) Cr.P.C., as the challan was not presented within a period of 180 days. Thereafter, the petitioner who was facing trial absented himself from the proceedings during the pendency of the trial and consequently, the arrest warrants were issued to the petitioner and his proclamation was ordered to be issued. Thereafter, the petitioner was arrested on 20.4.2019, in pursuance of the production warrants. The allegations against the petitioner in the present case pertain to recovery of 700 tablets of Phinotil having salt Dihenoxybate Hydrochloride which otherwise falls within the commercial quantity. The petitioner was earlier released on default bail under Section 167 (2) Cr.P.C. and thereafter, he misused the concession of bail and therefore, the statutory right vested in the petitioner could not be made available to him in view of the misuse of the concession of bail by the petitioner.

In view of above, no ground is made out for the grant of bail to the petitioner and consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

January 08, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No