

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

CRM-M-8249-2021
Date of decision: 22.02.2021

Gurmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The is the second petition, filed under Section 438 Cr.P.C., for grant of anticipatory bail to petitioner in FIR No. 107 dated 04.07.2019, registered under Sections 21/29 of the NDPS Act, 1985 at Police Station Goindwal Sahib, District Tarn Taran.

The first petition, bearing CRM-M-18097-2020, was dismissed as withdrawn with liberty to petitioner to surrender before the trial Court within a period of one week from the date of passing the order and it was directed that in case petitioner moves an regular bail application the trial Court shall decide the same within a period of three days thereafter. However, instead of surrendering before the trial Court/Illaqua Magistrate, the petitioner has filed the present application seeking grant of anticipatory bail.

Brief facts of the case are that the police arrested one Varinder Singh @ Vinda and recovered 255 grams of Heroin and 260 grams of Heroin was recovered from another co-accused Manjinder Singh @ Manni.

Thereafter, on the disclosure of co-accused Manjinder Singh @ Manni that he had purchased the said contraband from the petitioner, he was involved in the present case.

Learned counsel for the petitioner submits that since the petitioner has been involved on the basis of the disclosure statement of aforesaid co-accused, the petitioner may be granted concession of anticipatory bail.

Learned State counsel, on instructions from the Investigating Officer, submits that petitioner is involved in three more FIRs under the NDPS Act as well as in one FIR under Section 13 of the Punjab Prevention of Human Smuggling Act, 2012.

Since the aforesaid arguments raised by learned counsel for the petitioner were already heard and considered at the time when the first bail application of the petitioner was dismissed as withdrawn on 16.07.2020 by granting him liberty to surrender before the trial Court, which in fact he did not comply with, this Court finds no new ground for granting concession of anticipatory bail to the petitioner as petitioner is delaying the investigation of the case by filing second petition after a period of about seven months.

Accordingly, the present petition is dismissed.

22.02.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No