

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

CRM-M-9456-2021 (O&M)

Date of decision: 20.08.2021

Baljeet @ Bittu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

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

Mr. Sharad Aggarwal, AAG, Haryana.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This second petition for regular bail has been filed by petitioner Baljeet @ Bittu, an accused in FIR No.255 dated 25.09.2019, for an offence under Section 22 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered with Police Station Sadar Ratia, District Fatehabad. The first petition bearing No.CRM-M-19019-2020 was dismissed, vide detailed order dated 24.09.2020, copy of which being Annexure P-2.

Briefly stated the prosecution story is that, on 25.09.2019, a police party was present at Kalotha-Khairpur turn, village Lalwas, when a young boy was seen coming from village Khairpur side carrying a polythene bag in his right hand. On seeing the police party,

he threw away the polythene bag and tried to run away but was apprehended. On checking the said polythene bag, 20 strips of Tramadol Hydrochloride Tablets 100 MG TREDOL-100, B.No. TDP 18006, carrying 200 tablets having total weight of 173 grams. 600 miligrams were recovered, which were taken into police possession and formal FIR was registered. The accused was arrested in this case.

Accused had filed a petition for grant of regular bail before Additional Sessions Judge, Fatehabad, but the said petition was dismissed vide order dated 17.06.2020. As such, he has approached this Court for grant of regular bail for the second time, his prayer is being opposed by the learned State counsel.

It may be mentioned here that the first petition for regular bail was dismissed vide detailed order dated 24.09.2020 for the reason that the petitioner is a habitual offender, involved in 05 other criminal cases out of which, three cases are under the Act, two related to commercial quantity. It was further observed that petitioner cannot be shown any sympathy because if he is released on bail, there is every possibility of taking path of crime again and indulging in drug trafficking. There has not been any noticeable change in circumstances since dismissal of the first petition for regular bail. The petitioner having past criminal record with his involvement in three more cases under the Act, if he is released from custody by allowing the present petition, there is likelihood of his getting involved in drug trafficking again, putting lives of several innocent persons into risk, who may take

to drug consumption and drug abuse. Therefore, under the circumstances, instead of allowing the petitioner to play with lives of several innocent persons, it is better to curtail his freedom by refusing to grant him bail. Accordingly, the present petition stands dismissed.

20.08.2021
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No