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

CRM-M-9841-2021

Date of Decision: 03.03.2021

Harnaib Singh @ Naib Singh**.. Petitioner****Vs.****State of Punjab****..Respondent****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Ms. Manpreet Kaur Ghuman, Advocate for the petitioner.

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Manoj Bajaj, J. (Oral)

Petitioner has filed this second petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.90 dated 10.06.2019 under Section 22 NDPS Act, registered at Police Station Dhanaula, District Barnala.

The FIR was registered on the basis of a secret information and the allegations noticed by the Addl. Sessions Judge, Sangrur in the order dated 21.06.2019, while declining the bail application of petitioner, read as under:

“As per the prosecution version, on 10.06.2019 ASI Manjit had received secret information that Naib Singh son of Mehar Singh, accused/non-applicant is habitual of selling the sedative tablets and on that day, he was coming from village Kattu side towards Bhaini Mehraj on his motor cycle for selling the sedative tablets. Thus, on the basis of this secret information, ruqa was sent and FIR was registered against the accused/applicant. Then naka was laid and on seeing the police party accused fled away while throwing the plastic envelope which on checking was found to contain 900 intoxicant tablets make ALPRASAFE 0.5.”

Learned counsel for the petitioner contends that the petitioner

has not been arrested on the spot and the recovery has not been effected

from the petitioner. He has been falsely implicated in the case.

During the course of hearing, it is not disputed that the first petition of the petitioner for grant of anticipatory bail was considered by this Court on vide order dated 16.10.2019. The said order reads as under:

*“After arguing for some time, learned counsel for the petitioner wishes to withdraw the present petition.
The prayer is accepted.
The petition is ordered to be dismissed as withdrawn.”*

In view of above, the second petition for grant of anticipatory bail is not maintainable.

The petition is dismissed.

03.03.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No