

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23086-2021

Date of Decision: 15.06.2021

Vishal Shota alias MannaPetitioner

Versus

State of Punjab..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

...

MANJARI NEHRU KAUL, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 133 dated 20.05.2021 under Sections 21/61/85 of the NDPS Act registered at Police Station City Ferozepur, District Ferozepur.

Learned counsel submits that the petitioner has been falsely implicated in the case in hand. He further contends that secret information was received by the police against one Sumit Kumar. It has further been contended that when the police apprehended the said Sumit Kumar a recovery of 10 grams of heroin was effected from him. Learned counsel contends that the petitioner was neither apprehended along with the said Sumit Kumar nor was he named in the secret information rather he was arrayed as an accused on the basis of the disclosure statement allegedly

elder brother. Learned counsel contends that the evidentiary value of such disclosure statement is of extremely weak nature for which he stands entitled to the concession of anticipatory bail.

On a pointed query put to the learned counsel with respect to the antecedents of the petitioner he has conceded that the petitioner has been involved in four cases under the NDPS Act out of which he stands acquitted in two of them while in the remaining two cases he is on bail. Still further, a perusal of the FIR in question as well as the order passed by the learned trial court reveals that the petitioner who admittedly is a habitual offender had been misusing co-accused Sumit Kumar as a carrier and from whom the alleged recovery of contraband was effected, was also a juvenile.

In the wake of the aforementioned circumstances, the petitioner does not deserve the concession of anticipatory bail.

The petition is dismissed.

15.06.2021
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No