

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

213

**CRM-M-33917-2020
Decided on : 14.01.2021**

AAKASH @ RINKU

. . . Petitioner

Versus

STATE OF HARYANA

. . . Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. G. S. Sadhrao, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG Punjab
assisted by SI Krishan Kumar.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 237, dated 09.07.2019, under Sections 20(b)(ii) and 21(c) of the NDPS Act, 1985, registered at Police Station Bhuna, District Fatehabad, Haryana.

Learned counsel for the petitioner contends that the petitioner has been in custody since 09.07.2019 and the trial is unlikely to conclude in the near future as only challan has been presented till date. He further submits that a false recovery of 460 grams of Heroin, 3 kg 200 grams of Ganja and Rs.11 lacs along with currency counting machine has been planted upon him. Learned counsel has further submitted that at the time of the alleged recovery there was non-compliance of Section 50 of the NDPS Act, which lends credence to his false implication.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner on instructions from SI Krishan Kumar has submitted that the petitioner is a man of criminal

antecedents facing trial inasmany as 20 other criminal cases including some under the NDPS Act. Learned State counsel has further apprised the Court that the petitioner stands convicted in six criminal cases.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the criminal antecedents of the petitioner, he does not deserve the concession of regular bail.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

January 14, 2021
S.Sharma(syr)

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