

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CRM-M-42728-2021

Date of decision: 11.10.2021

Jiwan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Balbir Kumar Saini, Advocate
for the petitioner.

...

SUVIR SEHGAL, J. (Oral)

Instant second petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.0015 dated 22.02.2021, registered for offences under Sections 15 and 15-C of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short “the NDPS Act”), (Sections 15-B and 29 of NDPS Act, 1985 were added later on), at Police Station Sadar Moga, District Moga (Annexure P-1).

As per the version of the prosecution, a raid was conducted at the residence of Gurpreet Singh and Sukhdev Singh on the basis of secret information and 460 kgs poppy husk was recovered.

Counsel for the petitioner has been heard.

The first petition filed by the petitioner was dismissed, vide order dated 30.06.2021 (Annexure P-3) as the petitioner had approached this Court by concealing his criminal antecedents. During the course of hearing of the previous petition, the State filed an affidavit of the Deputy Superintendent of Police (City), Moga, wherein it had been submitted that the petitioner is involved in four other cases, which fact had been concealed in the petition. Instant petition has been filed within a few weeks of the dismissal of the first petition. Hon'ble Supreme Court in ***G.R.Ananda Babu Vs. The State of Tamil Nadu and others LL 2021 SC 48 SLP (cr) 213/2021*** has held that second petition for anticipatory bail is not maintainable.

Petition is accordingly dismissed.

It is clarified that nothing said hereinabove shall be construed to be an expression on the merits of the case.

(SUVIR SEHGAL)
JUDGE

11.10.2021
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes