

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

CRM-M-50825-2021 (O&M)

Date of decision: 20.12.2021

Jatinder Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 76 dated 02.11.2021, registered under Section 21 of the NDPS Act, 1985, at Police Station Aur, District S.B.S. Nagar.

Learned counsel for the petitioner submits that the petitioner has falsely been indicted in the present case on the disclosure statement of co-accused Des Raj @ Pardesi, from whom the alleged recovery of 1 kg. of *Heroin* containing in a bag was effected.

Learned State counsel, while opposing the prayer for bail submits that the petitioner is a habitual offender and is involved in three other cases under NDPS Act.

I have heard the learned counsel for the parties.

The petitioner is involved in three other cases under NDSP Act. Moreover, the learned trial Court, while dismissing the bail applicaton of the petitioner has noticed that while on bail in the earlier cases, he had misused the concession of the bail granted to him.

The petitioner has a tendency of committing repeated crimes. Thus, keeping in view the fact that the petitioner is a habitual offender having criminal antecedents, he does not deserve concession of the anticipatory bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

20.12.2021
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No