

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

CRM-M-4403-2022 (O&M)

Date of decision: 15.02.2022

Happy Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Nirbhay Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 0007 dated 16.01.2022, registered under Sections 22 and 29 (added later on) of the NDPS Act, 1985 at Police Station Sherpur, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police party, while on patrol duty, arrested a person, who disclosed his name as 'Janta Singh', and recovered 1000 intoxicant tablets. On further disclosure, the said accused named the petitioner as a person, who has supplied the said contraband to him.

Learned counsel for the petitioner further submits that the only evidence against the petitioner is the disclosure statement of aforesaid co-accused.

It is worth noticing here that on 03.02.2022, noticing the fact that in the petition it is specifically stated that the petitioner is not involved

in any other case under the NDPS Act, the petitioner was directed to file a specific affidavit in this regard.

Learned State counsel has filed an affidavit and the petitioner has also filed his own affidavit disclosing that he has been convicted in another FIR under the NDPS Act in 2013 and has undergone the sentence. Similarly, he is also convicted in another FIR under the NDPS Act in 2012 and has undergone the sentence.

Learned State counsel submits that the petitioner is repeatedly involved in cases under the NDPS Act and, therefore, he is not entitled to get the concession of anticipatory bail.

After hearing learned counsel for the parties, considering the fact that the petitioner is a habitual offender and he is repeatedly involved in cases under the NDPS Act, I find no ground to grant him the concession of anticipatory bail.

Accordingly, the present petition is dismissed.

15.02.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No