

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

234

CRM-M-10453-2022 (O&M)

Date of Decision: 22.03.2022

GURPREET SINGH @ GOPI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Nirmal Preet Singh Hira, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through the instant petition the petitioner seeks regular bail in case bearing FIR No.69 dated 01.07.2018, registered under Section 21 of the NDPS Act, at Police Station Kathunangal, Amritsar.

Learned counsel for the petitioner submits that the petitioner was initially granted the concession of regular bail by the learned Additional Sessions Judge, Amritsar, vide order dated 05.09.2018; that however, due to some unavoidable circumstances, the petitioner absented himself from the Court proceedings on 07.10.2021 and that resultantly, he was declared as a proclaimed person and his bail was cancelled and bail/surety bonds were forfeited to the State. He further submits that the petitioner was later on re-arrested in this case on 19.10.2021 and since then, he has been in custody.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel submits that the

recovery of 220 intoxicant tablets, was effected from the petitioner, which is a commercial quantity and Section 37 of the NDPS Act bars the grant of bail to the accused in the case of commercial quantity and that there is one more case of similar nature registered against the petitioner. He further submits that once the petitioner had misused the concession of bail, he is not entitled for any further indulgence and that post presentation of challan, the charge is yet to be framed.

I have heard the learned counsel for the parties.

Admittedly, the petitioner had been granted the concession of regular bail by the learned Sessions Court itself, but he has misused the same by absconding himself from the Court proceedings. Though in another case of similar nature, the petitioner is on bail, yet the fact remains that he is a person with criminal antecedents. Thus, keeping in view the fact that the petitioner is a habitual offender having brazen criminal antecedents, he does not deserve concession of the regular bail again. Moreover, the nature of the offence committed by the petitioner is sufficient enough to hold that if released on bail, he would again involve himself in similar crime.

In view of the above, no ground is made out to grant regular bail to the petitioner.

Dismissed.

22.03.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*