

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

CRM-M-9995-2022 (O & M)

Date of Decision: 07.07.2022

Bhim Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Yashpal Thakur, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

CRM-21905-2022

This is an application under Section 482 Cr.P.C. for an early hearing of the main petition i.e. CRM-M-9995-2022, which is fixed for hearing on 16.08.2022.

Notice in the application to the respondent-State.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG, Punjab, accepts notice on behalf of the respondent-State, and submits that he has no objection, if the present application is allowed.

In view of the above, the present application is allowed and the date of hearing of the main petition is preponed from 16.08.2022 to that of today and the same is taken on the Board for hearing.

CRM-M-9995-2022

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.26 dated 14.02.2022, registered at Police Station City-I, District Sangrur, under Sections 15 and 29 (added later on) NDPS Act.

Learned counsel for the petitioner contends that the petitioner has been indicted on the disclosure statement of the co-accused Nirmal Kaur, who was arrested at the spot and from whose possession, recovery of 25 kg. poppy husk had been effected. Moreover, the recovery

allegedly effected in the present case, falls under the non-commercial quantity. On this premise, learned counsel prays that the petitioner be released on anticipatory bail.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner is a habitual offender and he has as many as four other cases i.e. under the Excise Act and one under the NDPS Act, registered or pending against him.

I have heard the learned counsel for the parties.

Though the petitioner has been indicted on the disclosure statement of the co-accused and the recovery allegedly effected in the present case, falls under the non-commercial quantity, yet the fact remains that he has as many as four other cases i.e. three under the Excise Act and one under the NDPS Act, registered or pending against him, showing his tendency of committing repeated crime(s) of similar nature. The criminal antecedents of the habitual offender(s) like the petitioner, which shatter the very tranquility of the collective, do not entitle him to be enlarged on anticipatory bail.

Keeping in view the criminal antecedents of the petitioner and his involvement in the repeated offences under the Excise Act and NDPS Act, this Court finds that the petitioner is required for custodial interrogation to take the investigation to its logical end and to ascertain the source of contraband and the beneficiary thereof.

Therefore, finding no merit in the present petition, the same is dismissed.

07.07.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No