

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

229

CRM-M-14397-2022 (O&M)

Date of Decision: 19.07.2022

HARBHAJAN SINGH @ BHAJJA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: None for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.125 dated 02.06.2020, registered under Sections 21 and 29 of the NDPS Act, at Police Station Dina Nagar, District Gurdaspur, the first one being dismissed on merits vide order dated 14.02.2022 passed by this Court.

There is no representation on behalf of the petitioner today.

Learned State counsel submits that the recovery of 19,000/- intoxicating capsules 'Ridley' effected in the present case, falls under the commercial quantity and Section 37 of the NDPS Act bars the grant of bail to the accused in case of the commercial quantity. He further submits that the petitioner is a habitual offender with criminal antecedents, inasmuch as, there is one more FIR under the NDPS Act, against the petitioner, though the petitioner stands discharged in the said case. He, thus, prays for dismissal of the present petition.

In view of the fact that there was one more FIR under the NDPS Act against the petitioner and the possibility of the petitioner's involving himself in similar crime again, if granted the concession of bail, do not entitle him for the concession of regular bail. Above all, there is no representation on behalf of the petitioner today.

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

Dismissed.

19.07.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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