

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15931-2022
Reserved on: 27.04.2022
Pronounced on: 10.05.2022

Mandeep Singh @ Jaggi
...Petitioner(s)
Versus
State of Punjab
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Kuldeep Singh Saini, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
5	22.1.2022	Sri Chamkaur Sahib, District Ropar	21, 29, 61, 85 NDPS Act

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC seeking anticipatory bail.

2. In paragraph 10 of the bail petition, the accused has declared his criminal history, which reads as under:-

Sr. No.	FIR No.	Date	Offences	Police Station
1.	109	21.10.2018	22/29 NDPS Act	Sadar Morinda
2.	18	2.3.2021	21/61/85 NDPS Act	Chamkaur Sahab

3. Vide order dated 21.04.2022, this Court had granted interim anticipatory bail to the petitioner subject to his joining investigation, which is continuing till date.

4. Ld. Counsel for the petitioner has submitted that the petitioner has joined the investigation and his custodial interrogation is no more required.

5. Ld. counsel representing the State has not refuted the contention raised on behalf of the petitioner.

REASONING:

6. The petitioner has criminal history of two cases of similar nature and in both the cases the contraband allegedly recovered is heroine which is weighed 100 grams each. In the present case, the allegation against the petitioner is of selling 42 grams of heroine to the main accused Rajdeep Singh @ Raji. Thus, even the total of the entire quantity of the contraband is less than commercial quantity. Furthermore, in the present case, the recovery is not made from the petitioner but the petitioner has been involved in the case based on the disclosure statement of the co-accused.

7. Given above, the present petition is allowed and the interim order dated 21.04.2022 is made absolute subject to strict compliance of conditions laid down in paragraphs no.22 and 23 of the said order within 10 days from today, if not already complied with. It is made clear that in case the petitioner fails to comply with the aforesaid conditions, as aforesaid, the State shall be at liberty to file an application for cancellation of bail granted to the petitioner and it will be cancelled on this ground alone. It is further clarified that this Court has granted final opportunity to the petitioner to course correct himself and live a normal life and in case he does not mend his ways and repeats the offences or indulges in such like criminal activities, then the concerned Court shall consider it a factor while considering the bail or granting any other relief to the petitioner. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

May 10, 2022
AK

Whether speaking/reasoned:
Whether reportable:

Yes
No.