

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

209

CRM-M-17778-2022 (O&M)

Date of Decision: 27.05.2022

KULDEEP

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ajay Kumar Sharma, Advocate for
Mr. Naresh Kumar Ganga, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary Addl. AG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.150 dated 05.04.2022, registered under Section 21 of the NDPS Act, at Police Station Sadar Sirsa, District Sirsa.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the alleged recovery of 5.95 grams heroin was effected from the petitioner and that the petitioner has been indicted in the present case on the basis of the disclosure statement of the co-accused.

Per contra, while opposing the prayer for grant of anticipatory bail to the petitioner, learned State counsel submits that the petitioner is a habitual offender, inasmuch as, there are four more FIRs registered and/or pending against him, including the one under the NDPS Act. He further submits that in FIR No.91 dated 28.02.2022 under NDPS

Act, the petitioner has been granted the concession of bail by the learned

Additional Sessions Judge, Sirsa, and the present FIR was registered, during the period, the petitioner was on bail, in FIR No.91 dated 28.02.2022.

I have heard the learned counsel for the parties.

Admittedly, the petitioner has been granted interim protection by the trial Court in another FIR. However, the fact remains that during the period the petitioner was on interim bail in the said FIR, he had involved himself in another case of similar nature. Resultantly, the present FIR No.150 dated 05.04.2022 was registered against him.

There is no denial to the aforesaid fact from the side of the learned counsel for the petitioner. Thus, the petitioner does not deserve any further concession and to unearth the truth, his custodial interrogation is a must.

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

Dismissed.

27.05.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>