

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Crl. Misc. No.M-25946 of 2022
Date of decision:14.06.2022

Jaiparkash @ Jai Parkash Sharma

...Petitioner

Versus

State of Haryana

...Respondent

Coram: Hon'ble Mr. Justice G.S.Sandhawalia

Present: Mr. Jainainder Saini, Advocate,
for the petitioner.

G.S.Sandhawalia, J. (Oral)

In the present petition, the petitioner seeks concession of anticipatory bail in case FIR No.595 dated 18.09.2021, registered under Sections 20 of the NDPS Act, 1985 at Police Station Azad Nagar, District Hisar.

The argument raised by the counsel for the petitioner is that the petitioner was not apprehended at the spot and the recovery of 5 Kgs. Ganja was effected from one Vinit. In such circumstances, anticipatory bail has been prayed for.

The learned Additional Sessions Judge, Hisar, while rejecting anticipatory bail application of the petitioner, has noticed that there are 4 other cases, pertaining to NDPS Act, registered against the petitioner, therefore, chain of drug suppliers and the *modus operandi* would only come forth if custodial interrogation as such of the petitioner is obtained.

Counsel for the petitioner has vehemently argued that there are not 4 but 3 cases of NDPS Act registered against the petitioner. The present FIR is registered in District Hisar, two cases were registered in Police

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Station Loharu, District Bhiwani and the details of one case is of District Churu, Rajasthan, in which 12.5 Kgs. of Ganja was recovered from the petitioner.

In such circumstances, this Court is of the considered opinion that no case is made out for grant of benefit of anticipatory bail to the petitioner since, admittedly, the petitioner is involved in similar cases of NDPS Act and it is settled principle that discretion of anticipatory bail is not to be exercised in favour of the persons who are involved in the drug trade.

Accordingly, the present petition is hereby dismissed.

June 14, 2022
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(G.S.Sandhawalia)
Judge

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No