

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30768-2020
Date of decision: 12.07.2022

Chanan Singh @ Channa

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Karanjeet Singh Brar, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J.

The petitioner seeks grant of concession of anticipatory bail in case bearing FIR No. 12 dated 02.02.2020 under Section 21 of the NDPS Act, registered at Police Station Sadar Ferozepur, District Ferozepur.

Vide order dated 05.10.2020, the petitioner was granted ad-interim anticipatory bail.

Learned counsel for the petitioner contends that the petitioner has nothing to do with the alleged occurrence; that no recovery was effected from the petitioner and that the petitioner has been indicted on the basis of the disclosure statement of co-accused Sukhchain Singh. It is further submitted that co-accused Sukhchain Singh, has been granted the concession of regular bail vide order of even date passed by this Court and, therefore, the petitioner may be granted the concession of bail on the ground of parity.

On the other hand, the learned State Counsel submits that the petitioner is a person of criminal antecedents and that he had actively participated in the crime. It is further submitted that the petitioner was convicted and sentenced in another case under the NDPS Act.

At this stage, learned counsel for the petitioner submits that so far as the other case under the NDPS is concerned, the petitioner was convicted and sentenced therein, in the year 2010 and he has already undergone the entire sentence in the said case.

I have heard learned counsel for the parties.

No doubt, the petitioner was granted the concession of ad-interim anticipatory bail vide order dated 05.10.2020 passed by the Coordinate Bench. However, the fact remains that in another case i.e. FIR No. 137 dated 2.10.2006 under Section 21 of the NDPS Act, the petitioner was convicted and sentenced to undergo RI for 10 years vide judgment and order dated 7.12.2010 passed by the learned Special Court, Amritsar. Though the petitioner is stated to have undergone the entire sentence in the said case, yet the criminal antecedents of the petitioner and his fresh involvement in the present FIR in the year 2020, do not entitle him any further concession.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

12.07.2022
ds

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No

