

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

CRM-M-34568-2022
Decided on : 10.08.2022

Aakash @ Rinku

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. L.S.Sekhon, Advocate
 for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

This is the third petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.237 dated 09.07.2019 under Sections 20(B)(ii) and 21-C of NDPS Act, 1985 registered at Police Station Bhuna District Fatehabad as the previous petition was dismissed on merits as recently as on 25.03.2022.

On a pointed query put to learned counsel as to what was the material change in the circumstances subsequent to the dismissal of the previous petition on 25.03.2022, he apprised the Court that there had been no change in the circumstances, however, the petitioner had now been in custody for more than three years having been arrested on 09.07.2019.

Learned State counsel on instructions while opposing the prayer and submissions made by the counsel opposite submits that the delay in the conclusion of the trial has been on account of the fact that the petitioner was involved in as many as 22 other criminal cases. The petitioner was being taken on production warrants to different Courts, as a

result of which trial was getting delayed. He has further submitted that in the instant case, secret information was received by the police wherein the petitioner was named. Pursuant to the secret information, a raid was conducted and the petitioner was apprehended with 46 grams of heroin, 3.200 kgs of ganja, Rs.11 lakhs in cash and one cash counting machine. He still further submits that the crime in question had been committed by the petitioner while he was on bail in the other criminal cases registered against him. A prayer is, therefore, made for dismissal of the present petition in the wake of the petitioner's antecedents as there was every likelihood that he could again be involved in some other criminal case.

Heard learned counsel and perused the relevant material available on record.

In the facts and circumstances as enumerated hereinabove particularly the criminal antecedents of the petitioner, the petitioner does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

10.08.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No