

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

CRM-M-37-2023

Date of Decision: January 17, 2023

Robin Singh alias Ninja

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

By way of this petition, petitioner seeks pre-arrest bail in case FIR No.689, dated 09.08.2022, registered at Police Station City Hisar, District Hisar, under Section 21B of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 27-A of the NDPS Act added later on).

8 grams, 6 grams and 6 grams of heroin was allegedly recovered from Jarnail Singh, Jangir Singh and Govinda respectively, which is of non-commercial category.

As per the prosecution case, supported by an affidavit of Deputy Superintendent of Police, Headquarters, Hisar placed on the record by the respondent-State today, all the three accused from whom the recovery was effected in their disclosure statement disclosed that it is from petitioner Robin Singh @ Ninja that they had purchased heroin. Apart from this, affidavit further reveals that CDR of mobile phones of petitioner Robin Singh @ Ninja and co-accused Jarnail Singh and Jangir Singh from 15.07.2022 to 01.08.2022 was obtained from the concerned department revealing that they were talking several times.

Contention of learned counsel for the petitioner is that recovery has been effected on the basis of a secret information in which petitioner was not named. No recovery was effected from the petitioner. Even the recovery from the co-accused is of non-commercial quantity and that he is ready to join the investigation.

Opposing the said contention, learned State counsel has pointed out that the petitioner is involved in another case of similar nature and that in such type of cases, the Court should not exercise its descretion in granting the bail.

However, learned counsel for the petitioner submits that in the another case, the petitioner has been granted anticipatory bail.

Agreeing with the contention of learned State counsel, I am of the view that this is not a fit case for grant of anticipatory bail.

As such, the present petition is dismissed.

January 17, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No