

**112 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-1930-2022 (O&M)
Date of Decision: 23.11.2023**

Hardeep Singh @ Deepa

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHUPresent: Mr. Arihant Goyal, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of bail pending trial in FIR No. 277 dated 07.06.2021, under Sections 21, 22 & 29 of NDPS Act, 1985 registered at Police Station, City Barnala, District Barnala.

2. Learned counsel for petitioner contends that no recovery was effected from the petitioner and moreover, co-accused (Iqbal Singh) with similar allegations has already been granted the concession of pre-arrest bail vide CRM-M-53762-2021.

3. *Per contra*, learned State counsel while opposing the prayer submits that petitioner is not only a previous convict in four cases; rather numerous cases are pending against him.

4. Heard learned counsel for the parties and perused the paper-book.

5. Above FIR was registered against Jasvir Singh @ Seera & Arshdeep Singh @ Arshi. It has come on record that during search, 1795 loose tablets and 33 gram powder were recovered from the possession of above Jasvir

Singh @ Seera. On 09.06.2021, he disclosed that contraband was purchased by him from Chamkaur Singh @ Love. Chamkaur Singh @ Love was arrested on 10.06.2021 and 1385 intoxicant tablets & 20 grams intoxicant powder of white colour and Rs.12,000/- (drug money) were recovered from him. Thereafter, Chamkaur Singh @ Love named Kali in his disclosure as the person to whom he used to sell the contraband.

Further, on 17.06.2021 accused Arshdeep Singh @ Arshi was also arrested and at his instance, 385 gram intoxicant powder was recovered. On 20.06.2021, during interrogation, Arshdeep Singh @ Arshi, disclosed that he along with present petitioner (Hardeep Singh @ Deepa) purchased the intoxicant tablets & powder from some unknown person and sold the same to Satvir Singh @ Iqbal Singh.

6. It is not in dispute that petitioner is a previous convict in four cases and apart that facing proceedings under Section 304 IPC and various other cases are pending against him, details of which are as under:-

Sr. No.	FIR No.	Dated	Police Station	Under Sections	Under-trial/ Convicted
1.	35	25/02/2014	City Dhuri	379 & 411 IPC	Undertrial
2.	297	10/12/2013	Sadar Dhuri	223, 224, 225, 225-A IPC	Undertrial
3.	137	10/09/2016	Doraha	367, 336, 506, 148 read with Section 149 IPC	Undertrial
4.	14	16/03/2019	Mehal Kalan	25 of Arms Act & 120-B IPC	Undertrial
5.	84	30/06/2020	Mehal Kalan	304 IPC	Undertrial
6.	52	01/07/2020	Thuliwala	21 & 25 of NDPS Act	Undertrial
7.	203	16/07/2021	Tripuri	22 & 29 of NDPS Act	Undertrial

8.	25	25/03/2014	Sadar Raikot	25 of Arms Act	Convicted
9.	05	22/01/2014	Sadar Raikot	379 & 349 IPC	Convicted
10.	122	09/09/2009	Mehal Kalan	15 of NDPS Act	Convicted
11.	11	11/03/2020	Mehal Kalan	33 & 34 of Arms Act	Convicted
12.	129	01/01/2009	Jagraon	307 IPC	Undertrial

7. Keeping in view the criminal antecedents of the petitioner, this Court does not deem it appropriate to grant the concession of bail to him, at this stage.
8. In view of above, there is no option except to dismiss the petition.
9. Ordered accordingly.
10. It is made clear that observations made above be not construed as an expression of opinion on the merit of case in any manner.
11. Pending application(s), if any, shall also stand disposed off.

23.11.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No