

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

CRM-M-8788-2023

Date of Decision: February 20, 2023

JAGSIR SINGH

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kartar Singh, Advocate for the petitioner.

Mr. Rakesh Kumar Ambavta, A.A.G., Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.19 dated 20.01.2023 under Sections 21, 27-A, 61, 85 of NDPS Act, registered at Police Station City Ratia, District Fatehabad.

Learned counsel for the petitioner submits that in the present case the petitioner was implicated on disclosure made by one Sukhbir Singh alias Sukha and the recovery is of small quantity and thus the petitioner deserves the concession of pre-arrest bail.

On the other hand, learned state counsel submits that this is not the only case pending against the petitioner as one more FIR i.e. FIR No.584 dated 24.10.2018 registered under Sections 15, 27-A, 61, 85 of NDPS Act, Police Station Ratia, Fatehabad, pertaining to allegations of similar nature is already pending trial against the petitioner and thus opposes the prayer made in the present petition.

I have heard learned counsel for the parties and have gone through the paper-book. I am unable to find any substance in the submissions made on behalf of the petitioner, considering the fact that the petitioner is already implicated in offence of similar nature as FIR No.584 dated 24.10.2018 is already pending trial against the petitioner.

Furthermore, in view of the observation made by Hon’ble Supreme Court in “STATE OF HARYANA vs. SAMARTH KUMAR 2022(3) R.C.R. (Criminal) 991” besides considering the nature of the allegations and the offence, I am not inclined to grant the discretionary relief of anticipatory bail in favour of petitioner as it may hamper the investigation.

The present petition is dismissed.

20.02.2023
tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No