

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-13772-2023

Date of decision: 11.05.2023

Pawan Kumar @ Budhu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Taranjit Kaur Hundal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.41 dated 17.03.2022 for the offences under Sections 21-A and 29 of the NDPS Act registered at Police Station Phillaur, District Jalandhar Rural.

2. Learned counsel appearing for the petitioner submits that in compliance of order dated 20.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

3. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and also that the petitioner was nominated pursuant to the disclosure statement made by co-accused, however, learned State counsel has apprised the Court that the petitioner is involved in another case under the NDPS Act and he committed the crime in question while being on bail in the previous case registered against him under the NDPS Act.

4. I have heard learned counsel for the parties and perused the

relevant material on record.

5. It is evident that the petitioner has misused the concession of bail granted to him in the other case FIR No.163 dated 27.07.2019 under Sections 15/61/85 of the NDPS Act registered at Police Station Goraya, Jalandhar. This Court, therefore, is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner.

6. Dismissed.

7. 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.

11.05.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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