

101

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

CRM-M-16364-2023
Decided on : 04.05.2023

Sukhdev Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Chetan Sharma, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

1. Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.611 dated 12.12.2022 under Section 21(b) of NDPS Act registered Police Station Sadar Sirsa District Sirsa.
2. Learned counsel for the petitioner *inter alia* contends that alleged recovery of 15.42 grams of heroin was effected from co-accused Deepak Garg, who then falsely named the petitioner in his disclosure statement by stating that the contraband had been procured through him. Learned counsel submits that the recovered contraband does not fall under the commercial quantity. Learned counsel still further submits that the evidentiary value of such disclosure statement is of a weak nature.
3. On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, he submits that the

petitioner is indeed involved in three other cases under the NDPS Act and one case under the Excise Act.

4. At this, learned counsel for the petitioner submits that therein also, it was a case of false implication and the recovery effected under the NDPS cases was of non-commercial quantity.

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

6. The petitioner *prima facie* comes across as being a habitual offender for which this Court does not deem it fit to extend the concession of anticipatory bail to him. Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

04.05.2023
sonia

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