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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42634-2022 (O&M)

Date of Decision: 20.03.2023

VEERYODH SINGH @ RULDU

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Ms. Jasleen Kaur Sidhu, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.204 dated 20.07.2021 registered under Sections 21(C) NDPS Act, 1985 at Police Station Sultanpur Lodhi, District Kapurthala. The petitioner is in custody since his arrest on 20.07.2021.

On 14.03.2023, the following order was passed by this Cour:

“Learned counsel for the petitioner submits that the petitioner is accused of carrying 255 grams of heroin and the said quantity is marginally above the non-commercial quantity, therefore, he deserves the concession of bail, as the trial is not progressing.

The prayer is opposed by learned State counsel, who has produced the custody certificate, which indicates that the petitioner is also an accused in case FIR No.27 dated 15.03.2019 registered under Section 21 NDPS Act, 1985 at Police Station Lohian, District Jalandhar and in the said case, he was arrested for allegedly carrying 2 kgs of heroin along with his accomplice, namely, Pooja @ Ruby.

At this stage, learned counsel for the petitioner submits that in the said case, the concession of regular bail was extended to the petitioner vide order dated 13.07.2022 and he reiterates his prayer for regular bail.

During the course of hearing, it is not disputed by

learned counsel for the petitioner that initially in case FIR No.27 dated 15.03.2019, the petitioner was granted the concession of interim regular bail vide order dated 11.02.2021 and during that period, he was arrested in the present FIR.

The above background indicates that the petitioner has already misused the concession of bail granted to him in the other case, therefore, notice is issued to him to show cause as to why his bail not be cancelled in case FIR No.27 dated 15.03.2019.

Adjourned to 18.03.2023.”

Today, learned counsel for the petitioner fairly states that the interim concession extended to the petitioner in case FIR No.27 dated 15.03.2019 registered under Section 21 NDPS Act, 1985 at Police Station Lohian, District Jalandhar was misused by him by committing the crime resulting in registration of case FIR 204 dated 20.07.2021 under Sections 21(C) NDPS Act, 1985 at Police Station Sultanpur Lodhi, District Kapurthala.

Considering the above background, this Court is of the considered opinion that it is a fit case for exercise of power under Section 439(2) Cr.P.C.

Resultantly, the bail granted to the petitioner in case FIR No. 27 dated 15.03.2019 registered under Section 21 NDPS Act, 1985 at Police Station Lohian, District Jalandhar is hereby cancelled.

At this stage, learned counsel for the petitioner does not press this petition and prays for withdrawal of the same.

Dismissed as withdrawn.

20.03.2023

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No