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

CRM-M-42421-2023 (O&M)
Decided on : 14.09.2023

Sehajpal Singh ..... Petitioner

Versus

State of Punjab ..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.S.Moudgill, Advocate
for the petitioner.

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Manjari Nehru Kaul, J.(Oral)

1. Prayer in the instant petition is for grant of anticipatory bail to the petitioner in case FIR No.75 dated 08.07.2023 under Sections 22/29/61/85 NDPS Act registered at Police Station Longowal District Sangrur.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is nominated as an accused in the case in hand on the basis of a disclosure statement allegedly suffered by co-accused Kuldeep Singh @ Ghulla from whom recovery of 400 tablets of Tramadol was effected. It has been submitted that evidentiary value of such disclosure statement is of weak nature, which also points to the petitioner's false implication in the case in hand. Learned counsel further submits that though the custodial interrogation of the petitioner is not required, however, he is still willing to join investigation and cooperate with the investigating agency. Hence, the petitioner be released on anticipatory bail.

3. Heard learned counsel and perused the relevant material on record.

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4. No doubt, the petitioner was not apprehended at the spot, however, this Court cannot turn a blind eye to the fact that pursuant to the arrest of co-accused from whom alleged recovery of contraband was effected, a disclosure statement was made by him wherein he specifically named the petitioner as being the supplier of the contraband.

5. As the concession of anticipatory bail is an extra-ordinary concession, hence, while deciding the prayer for grant of anticipatory bail, the criminal antecedents of the accused cannot be ignored. Admittedly, the petitioner is involved in two other criminal cases i.e. one under the Excise Act and another under the Indian Penal Code. The petitioner was on bail when he came to be nominated as an accused in the instant case. Hence, *prima facie*, it is evident that he had misused the concession of bail, which had been granted to him in the other two cases, which stand registered against him.

6. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail. Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

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

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