

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

101

2023:PHHC:140876

CRM-M-49475-2023

Date of decision: November 6th, 2023

Amanjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Manpreet Ghuman, Advocate
for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case NCB Crime No.59 dated 09.09.2022 registered under Sections 8/21/23/25/27-A/29/60 of the NDPS Act, registered at Police Station Narcotics Control Bureau, Amritsar.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand on the basis of a disclosure statement allegedly suffered by co-accused Vakeel Singh, who was apprehended driving a tractor in which 1.790 kilograms of heroin was being transported from the Indo-Pakistan Border. Learned counsel submits that the disclosure statement on the basis of which the petitioner has been falsely implicated in the case in hand has very weak evidentiary value. It has also been submitted that in fact the petitioner is one of the secret informers of the Border Security Force. It was in that background, he was falsely implicated in the case in hand.

3. On a pointed query put to the learned counsel as to whether the petitioner is involved in any other criminal case, she submits that

the petitioner is indeed involved in another criminal case under the NDPS Act i.e. FIR No.73 dated 03.06.2023 under Sections 21 and 29 of the NDPS Act registered at Police Station Sadar Jalalabad, District Fazilka.

4. I have heard learned counsel for the petitioner and perused the relevant material on record.

5. The petitioner, no doubt, was nominated as an accused on the basis of a disclosure statement made by accused Vakeel Singh, who was apprehended along with recovered contraband. However, this Court cannot lose sight of the fact that the petitioner has criminal antecedents as he is involved in another case under the NDPS Act, which was registered as recently as in the month of June, 2023. The evidentiary value of the disclosure statement cannot be delved into at this stage, more so when the petitioner is involved in another case of NDPS Act.

6. Accordingly, the instant petition stands 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.

November 6th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No