

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

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2023:PHHC:161311

CRM-M-47246-2023

Date of decision: December 14th, 2023

Lovepreet Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Raman Chawla, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana
for respondent No.1-State.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed by the petitioner for grant of anticipatory bail in FIR No.791 dated 19.07.2023 under Sections 21B, 21b of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Hisar Sadar, District Hisar.

Learned counsel for the petitioner has submitted that he is being falsely targeted by the police which has been implicating him in false cases under the NDPS Act. Further, in the instant case, the petitioner was neither arrested from the spot nor any recovery effected from him, he came to be nominated as an accused on the disclosure statement allegedly suffered by co-accused Surrender. He submits that the evidentiary value of this disclosure statement is of a weak nature and is highly suspect, more so, since Section 29 of NDPS Act has also not been added in the FIR question.

On being put to notice, learned State counsel has vehemently opposed the prayer made by the counsel opposite. She, on instructions has submitted that the petitioner is a man of criminal

antecedents and is in fact the supplier of the contraband, which is evident from the fact that on two previous occasions, he was apprehended with heroin, in which regard there are two cases i.e. FIR No.163 dated 12.02.2022 and another FIR No.303 dated 02.09.2020 registered in District Hisar against him. She submits that in the third criminal case registered against the petitioner, he had been nominated on the basis of a disclosure statement of the co-accused. Learned State counsel has also controverted the submissions made by the counsel opposite of the petitioner is being falsely targeted by the police. She submits that there is no question of the police targeting the petitioner as the three cases under the NDPS Act registered against him are in a different district of Haryana.

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

In the facts and circumstances of the case, as enumerated hereinabove, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner as he prima facie comes across as a habitual offender.

The petition stands dismissed.

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.

December 14th, 2023

ps

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No