

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

104

2023:PHHC:134726

CRM-M-52428-2023

Date of decision: October 16th, 2023

Lal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. L.S. Sidhu, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.108 dated 17.08.2023 registered under Sections 21 and 29 of the NDPS Act registered at Police Station Mamdot, District Ferozepur.

2. Learned counsel for the petitioner submits that the petitioner has been nominated on the basis of a disclosure statement allegedly suffered by co-accused Sukhdev Singh @ Sukhi, from whom recovery of just 100 grams of heroin (which falls within non-commercial quantity) was effected. He submits that the evidentiary value of such disclosure statement is of weak nature and hints towards his false implication in the case in hand.

3. On a pointed query put to the learned counsel for the petitioner qua the antecedents of the petitioner, he submits that no doubt, there were three other cases registered against him under the NDPS Act, two under different sections of the Indian Penal Code and one under Excise Act, however, he had been acquitted in one of the cases under the NDPS Act, whereas in another case registered under the

NDPS Act, he had already served out his sentence.

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

5. *Prima facie*, the petitioner comes across as being a habitual offender and a person of criminal antecedents. In the circumstances, the petitioner does not deserve the extraordinary concession of anticipatory bail.

6. The instant petition, therefore, 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.

October 16th, 2023

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No