

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

104

2023:PHHC:163249

CRM-M-59363-2023

Date of decision: December 19th, 2023

Gurtej Singh @ Nikka

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ritesh Khatri, Advocate
for the petitioner.

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 FIR No.65 dated 31.10.2023 registered under Section 22 of the NDPS Act (Section 29 of the NDPS Act added later on) registered at Police Station Rureke Kalan, District Barnala.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been falsely implicated in the case in hand and that too on the disclosure statement of a co-accused from whom a recovery of 750 intoxicant loose tablets was effected.

3. On a pointed query put to learned counsel to the petitioner as to his criminal antecedents, he has submitted that he has no criminal antecedents.

4. Notice of motion.

5. On the asking of the Court, Mr. Mohit Kapoor, Additional Advocate General, Punjab, accepts notice on behalf of the respondent.

6. Learned State counsel has controverted the submissions

made by the counsel opposite qua the petitioner having no criminal antecedents. Learned State counsel has informed that the petitioner has not approached this Court with clean hands. The petitioner is a man of criminal antecedents and is involved in six others criminal cases.

7. In the circumstances, no ground is made out to extend the extraordinary concession of anticipatory bail to the petitioner.

8. The instant petition stands dismissed.

9. 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 19th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No