

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

103

2023:PHHC:157228

CRM-M-61717-2023

Date of decision: December 8th, 2023

Parvez

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Davneet Sangwan, 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.900 dated 07.11.2023 registered under Section 21-B of the NDPS Act registered at Police Station City Yamunanagar.

2. Learned counsel for the petitioner, *inter alia*, contends that the alleged contraband (10 grams of heroin) was recovered from co-accused Deepak pursuant to a secret information; in the secret information, there was no mention about the involvement of the petitioner. However, subsequently when co-accused Deepak was interrogated, he allegedly suffered a disclosure statement and nominated the petitioner as an accused and also stated that the recovered contraband had been supplied to him by the petitioner. Learned counsel has argued that the evidentiary value of the disclosure statement on the basis of which the petitioner has been nominated as an accused is of a weak nature and hence, he deserves to be enlarged on anticipatory bail.

3. I have heard learned counsel for the petitioner and perused

the relevant material on record.

4. No doubt, the petitioner was not apprehended along with the co-accused from whom a recovery of only 10.5 grams of heroin was effected, however, this Court cannot lose sight of the fact that the petitioner, *prima facie*, comes across as being a supplier of contraband/narcotic substances as it is a matter of record that there are as many as 15 other cases registered against him for offences under the IPC as well as under the NDPS Act.

5. In the facts and circumstances and seeing to the criminal antecedents of the petitioner, he does not deserve to be extended 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.

December 8th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No