

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

107

CRM-M-1273-2024

Date of decision: 11.01.2024

Navdeep Singh @ Kaka

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. D.S. Virk, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.529 dated 21.12.2023 under Sections 15B/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Sadar Sirsa, District Sirsa.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand on the basis of a disclosure statement allegedly made by co-accused from whom a recovery of 5 kgs of poppy husk was effected. Learned counsel submits that as per the disclosure statement it was the petitioner who had sold the recovered contraband to the co-accused. Learned counsel submits that the evidentiary value of the disclosure statement on the basis of which he has been arrayed as an accused in the case in hand is weak and hence he deserves to be extended the concession of anticipatory bail.

3. I have heard learned counsel and perused the relevant

material on record.

4. It is a matter of record that the petitioner is involved in 03 other cases under the NDPS Act which were registered prior in time. It has also not been disputed by the learned counsel that the petitioner was on bail in all the other 03 cases when he was nominated as an accused in the case in hand. Prima facie it is evident that the petitioner has misused the concession of bail which had been granted to him in the earlier 03 cases which stand registered against him and prima facie it is also discernible that the petitioner is a habitual offender. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner.

5. Accordingly, the instant petition is hereby dismissed.

6. 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.

11.01.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No