

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-13940-2024
Date of decision: 19.04.2024

HARBANS SINGH

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

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

Mr. Avinash Jain, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. The instant petition has been filed under Section 438 Cr.P.C, for grant of anticipatory bail to the petitioner in case FIR No.42, dated 08.02.2024, registered under Sections 17-B, 29, 27-A/61/85 of the NDPS Act, at Police Station Sirsa Sadar, District Sirsa.
2. Learned counsel for the petitioner submits that the alleged recovery from the co-accused falls within the ambit of non-commercial quantity. Learned counsel for the petitioner further submits that the allegation against the petitioner has surfaced in the disclosure statement of the co-accused, from whom the recovery has been effected. Learned counsel for the petitioner also submits that the petitioner is only involved in one more case of NDPS Act.
3. Learned State counsel on instructions, imparted to him by ASI Roshan Lal, submits that though in pursuance of the interim directions issued by this Court on 18.03.2024, the petitioner has joined the investigation, but has not

co-operated at all with the Investigating Officer, and he has not got recovered the contraband, which was disclosed by the co-accused. Learned State counsel further submits that the fact which was mentioned by the learned counsel for the petitioner, that he is only involved in one more case of NDPS Act, is incorrect, rather the petitioner is stated to be involved in 05 more cases, out of which 04 are of NDPS, and the one case is of IPC.

4. Since the petitioner has concealed the fact that he involved in 05 other cases, and also the fact that he has not co-operated with the Investigating Officer, therefore, there is no ground to extend the relief of pre-arrest bail to the present petitioner.

5. The instant petition is **dismissed** accordingly.

19.04.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No