

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-16599-2023

Date of decision: 11.01.2024

Pankaj Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Davinder Pal Soni Jaura, Advocate
for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

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.210 dated 24.02.2023 under Sections 21B, 61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Civil Line Sirsa, District Sirsa.

2. Learned counsel for the petitioner submits that in compliance of order dated 31.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

3. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation in compliance of order passed by this Court on 31.03.2023, however, he submits that the petitioner is a habitual offender as he is involved in two other cases under the NDPS Act. In support, learned State counsel has drawn the attention of this Court to the status report dated 24.06.2023 which was filed by the State by way of affidavit of Ajaib Singh, HPS, Deputy

Superintendent of Police (HQ), Sirsa, District Sirsa.

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

5. It is a matter of record that the petitioner is involved in 02 other cases under the NDPS Act. Prima facie it is evident 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.

6. Accordingly, the instant petition is hereby 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.

11.01.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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