

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.18990 of 2024

Date of decision: 19th April, 2024

Manjit Singh @ Kaka

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gursimran S. Bhatia, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0023 dated 02.03.2024 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on) registered at Police Station Sadar Batala, District Gurdaspur.

2. Learned counsel for the petitioner inter alia contends that he has been falsely implicated in the case in hand on the basis of a disclosure statement allegedly suffered by co-accused, from whom recovery of 5 grams of Heroin (non commercial) was allegedly affected. He submits that the disclosure statement, on the basis of which the petitioner has been nominated as an accused, does not have much evidentiary value. It has also been submitted that the alleged recovery affected from the petitioner has been classified as small and thus, on this ground also he deserves to be enlarged on bail.

3. Notice of motion.

4. Mr. Navdeep Singh, Dy. Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

5. Learned State counsel, on instructions from ASI Gurdev Singh, has brought to the notice of this Court that the petitioner is a habitual offender as would be discernible from his track record; the petitioner has been previously involved in three cases under the NDPS Act and one case under the Excise Act. It has been submitted by the learned State counsel on instructions, that in the circumstances, assertion of the learned counsel that the petitioner has been falsely implicated in the instant case, is bereft of any merit.

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

7. Prima facie, it does come across that the petitioner is a habitual offender, as he has been repeatedly involved in cases under the NDPS Act. In the facts and circumstances as enumerated hereinabove, this Court would, thus, not be inclined to extend the extraordinary concession of anticipatory bail to the petitioner. The petition stands dismissed.

8. 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.

(MANJARI NEHRU KAUL)
JUDGE

April 19, 2024
rps

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