



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

CRM-M No.28549 of 2024
Date of decision: 30th May, 2024

Harpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Tarun Jhatta, 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.0115 dated 08.08.2022 under Sections 22, 29, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kot Ise Khan, District Moga.

2. Learned counsel inter alia contends that the petitioner has been falsely implicated in the case in hand and that too on the basis of a disclosure statement allegedly suffered by co-accused, who was apprehended by the police on suspicion with 210 loose tablets of Etizolam. He submits that the evidentiary value of this disclosure statement is of a very weak nature and hints towards the petitioner's false implication.

3. On a pointed query put to the learned counsel as to whether the petitioner has any criminal antecedents, he has replied in the



affirmative and submits that the petitioner is involved in one other case under the NDPS Act.

4. Notice of motion.

5. Mr. Navdeep Singh, Dy. Advocate General, Punjab who is present in Court, has accepted notice on behalf of the State and has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel, on instructions from ASI Varinder Singh, has submitted that no doubt the petitioner was not apprehended at the spot when the alleged recovery of 210 loose tablets of Etizolam was affected from the co-accused, however, in the disclosure statement name of the petitioner had surfaced and it had been stated by the co-accused that the petitioner was one of the suppliers of the contraband.

6. Learned State counsel, on further instructions, has also disputed the submissions made by the counsel opposite qua his involvement in only one case under the NDPS Act. He submits that the petitioner has withheld his criminal antecedents from this Court; the petitioner is in fact involved in four other criminal cases including two under the NDPS Act.

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

8. Prima facie, the petitioner does come across as a man of criminal antecedents and it is evident that he has been repeatedly



misusing the concession of bail granted to him in other cases which were registered against him previously under the NDPS Act. In the circumstances, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

9. Dismissed.

10. 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

May 30, 2024
rps

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