



CRM-M-32615-2024

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(215) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32615-2024

Date of Decision: 16.12.2024

RANJOT SINGH @ RANJODH SINGH @ BABLU

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Hitesh Chopra, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in this 3rd petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.0061 dated 20.08.2022 registered under Sections 21(C), 25, 29 of NDPS Act and Section 25 of Arms Act at Police Station Mehta Tehsil and District Amritsar.

2. The brief facts of the case are that Harwinder Singh alias Kalu and Akashdeep Singh were apprehended and from the possession of Harwinder Singh alias Kalu 263 grams of heroin, a 30 bore pistol along with six cartridges and one magazine were recovered. One .32 bore pistol was recovered from Akashdeep Singh.

Harwinder Singh alias Kalu made a disclosure statement that he had purchased the heroin from Ranjot Singh @ Ranjodh Singh @ Bablu (petitioner).

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3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He was not apprehended at the spot but has been nominated as an accused on the basis of a disclosure statement of his co-accused which had little evidentiary value. No recovery of any contraband had been effected from him. There was a violation of the mandatory provisions of the NDPS Act regarding search and seizure including Section 50 of the NDPS Act. The prosecution version was inherently unbelievable. The petitioner was the only male member to look after his mother who is a widow. As he was in custody since 23.08.2022 but none of the 14 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and therefore, he was entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that the petitioner was a habitual offender. He was an accused in 10 other cases arising out of FIR No.25 dated 23.04.2018 U/s 307, 365 IPC, Section 25 Arms Act, Sections 21-61-85 NDPS Act, P.S. Mehta, FIR No.45 dated 05.05.2021 U/s 21-61-85 NDPS Act, 25/54/59 Arms Act, P.S. Mehta, FIR No.51 dated 09.07.2016 U/s 399, 402 IPC, 25/54/59 Arms Act, P.S. Mehta, FIR No.12 dated 13.05.2021 U/s 25/54/59 Arms Act, Sections 120B, 148, 149, 399, 402 IPC, P.S. SSOC Amritsar, FIR No.04 dated 13.01.2022, U/s 307, 427, 506, 148, 149 IPC, Section 25 Arms Act, P.S. Ghuman, Police District Batala, FIR No.26 dated 13.03.2022 U/s 307, 323, 365, 511, 506, 148, 149 IPC, Section 25 Arms Act, P.S. Ghuman, Police District Batala, FIR



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No.60 dated 14.08.2022 U/s 160, 336, 148, 149 IPC, Sections 25/27 Arms Act, P.S. Mehta, FIR No.114 dated 19.09.2022 U/s 307, 506, 148, 149 IPC, P.S. Rangar Nangal Police District Batala, FIR No.124 dated 08.10.2022 U/s 307 IPC, Section 25 Arms Act, P.S. Rangar Nangal, Police District Batala and FIR No.133 dated 11.09.2022 U/s 307 IPC, Section 25 Arms Act, P.S. Sadar Batala, Police District Batala. The instant petition was the 3rd bail application of the petitioner, the last one having been withdrawn as recently as on 26.04.2024 (Annexure P-3). Therefore, keeping in view the antecedents of the petitioner, he was not entitled to the concession of bail, moreso in view of the bar contained in Section 37 of the NDPS Act.

5. I have heard the learned counsel for the parties.
6. This is the 3rd bail application on behalf of the petitioner. The details of his earlier bail applications are as under:-

Sr. No.	Bail Application	Date of Decision
1.	CRM-M-14490-2023	Dismissed as withdrawn on 09.02.2024
2.	CRM-M-19143-2024	Dismissed as withdrawn on 26.04.2024

7. The details of FIRs registered against the petitioner are as under:-

Sr. No.	FIR Nos. and date	Sections	Police Station
1.	FIR No.25 dated 23.04.2018	307, 365 IPC, Section 25 Arms Act & Sections 21-61-85 NDPS Act	Mehta
2.	FIR No.45 dated 05.05.2021	21-61-85 NDPS Act & 25/54/59 Arms Act,	Mehta
3.	FIR No.51 dated	399, 402 IPC &	Mehta



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	09.07.2016	25/54/59 Arms Act	
4.	FIR No.12 dated 13.05.2021	25/54/59 Arms Act & Sections 120B, 148, 149, 399, 402 IPC	SSOC Amritsar
5.	FIR No.04 dated 13.01.2022,	307, 427, 506, 148, 149 IPC & Section 25 Arms Act	Ghuman, Police District Batala
6.	FIR No.26 dated 13.03.2022	307, 323, 365, 511, 506, 148, 149 IPC & Section 25 Arms Act	Ghuman, Police District Batala
7.	FIR No.60 dated 14.08.2022	160, 336, 148, 149 IPC & Sections 25/27 Arms Act	Mehta
8.	FIR No.114 dated 19.09.2022	307, 506, 148, 149 IPC	Rangar Nangal Police District Batala
9.	FIR No.124 dated 08.10.2022	307 IPC & Section 25 Arms Act	Rangar NangalPolice District Batala
10.	FIR No.133 dated 11.09.2022	307 IPC & Section 25 Arms Act	Sadar Batala, Police District Batala

8. Apparently, the petitioner is a serial offender with 10 other cases registered against him including two other cases under the NDPS Act. No change in circumstances whatsoever have been pointed out by the counsel for the petitioner after the 2nd bail application of the petitioner came to be argued and withdrawn as recently as on 26.04.2024 (Annexure P-3).



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9. This Court in the case of **Soni Singh @ Chamkaur Singh Versus State of Punjab, CRM-M-31645-2022, decided on 20.10.2022**, held as under:-

“Admittedly, the petitioner in the present case is named in the disclosure statement of the arrested accused. Subsequently thereto 3Kgs of Poppy Husk was recovered at his instance which is a non commercial quantity. It may be relevant to mention here that limitations to the grant of bail under Section 37 of the NDPS Act are in addition to those prescribed under Cr.PC or any other law inforce on the grant of bail as has been set out by the Hon'ble Supreme Court in Satpal Singh Vs. State of Punjab 2018(5) RCR (Criminal) 152. In the present case, the petitioner is involved in two other cases under the NDPS Act. Thus, as he is a habitual offender, he is not entitled to the grant of bail even under Section 439 Cr.PC keeping in view his antecedents. Even otherwise, assuming that the rigors of Section 37 of the NDPS Act did not apply to the petitioner, that by itself would not ipso facto lead to the grant of bail to the petitioner.

In view of the above discussion, I find no merit in the present petition and the same is therefore dismissed.”

10. Keeping in view the allegations levelled against the petitioner as well as his antecedents, the satisfaction under Section 37 of the NDPS Act that he has not committed an offence and is not likely to commit one in the future cannot be recorded.

11. In view of the above discussion, I do not deem it appropriate to grant him the concession of bail and therefore, the present petition stands dismissed.



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12. However, the Trial Court is directed to conclude the Trial as expeditiously as possible but in any case not later than 06 months from the next date of hearing fixed before it.

13. A copy of this order be sent to the Commissioner of Police, Amritsar who shall ensure that all the official PWs appear promptly before the Trial Court on the dates fixed for recording of prosecution evidence.

(JASJIT SINGH BEDI)
JUDGE

16.12.2024

JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No



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JUDGE

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Whether reportable:- Yes/No