



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.35050 of 2024
Date of decision: 29th July, 2024

Akul Kumar @ Akul Khatri
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Dinesh Mahajan, Advocate for the petitioner.
Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.83 dated 23.11.2023 under Sections 25 and 27 of the Arms Act, 1959 (Sections 212, 216 IPC, sections 26, 54, 59 Arms Act and Sections 21, 25, 29, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 added later on) registered at Police Station Mehta, District Amritsar.
2. Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in one case after another for reasons best known to the police, who are unnecessarily stalking him. It has also been submitted that the only allegation levelled against the petitioner in a secret information allegedly received was that he was



harbouring co-accused Shamsher Singh, who was wanted in a matter under Section 302 of the IPC; thereafter, a false recovery of 265 grams of Heroin was planted upon him. It has been submitted that since investigation in the present case is complete as challan stands presented, further incarceration of the petitioner would serve no useful purpose as charges have also not yet been framed and therefore, the case would take some time to conclude.

3. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. He has placed on record custody certificate of the petitioner wherein it stands reflected that the petitioner is involved in as many as 23 criminal cases. Learned State counsel, on instructions, has vehemently refuted the submissions made by the counsel opposite that the petitioner is being falsely targeted by the police and he is being involved in false cases one after another. He submits that in the present case, secret information was received that the petitioner was harbouring a person who was an accused in a case under Section 302 of the IPC; when a raid was conducted the petitioner was found at the spot along with the accused who was being sheltered by him; pursuant to the disclosure statement a recovery of 265 grams of Heroin (commercial quantity) was then affected from the petitioner leading to the registration of the FIR in question. Learned State counsel has, thus, vehemently opposed the prayer for grant of bail as it has been urged that



there is every likelihood that the petitioner would yet again commit some crime or could even abscond during the pendency of trial, in case granted bail.

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

5. In the facts and circumstances, as enumerated hereinabove, coupled with the fact that the petitioner is involved in a number of criminal cases, he does not deserve the concession of bail. The petition as such is dismissed. 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

July 29, 2024
rps

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