



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-38781-2024

Date of decision: 09.08.2024

Amarjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Atinderpal Singh Advocate for the petitioner.

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.65 dated 23.06.2024 under Sections 21, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), registered at Police Station Sadar Batala, District Batala.

2. Learned counsel for the petitioner *inter alia* contends that the police apprehended co-accused Ranjit Singh on suspicion and allegedly effected 10 grams of heroin from him; after his arrest Ranjit Singh allegedly suffered a disclosure statement arraigning the petitioner as an accused in the present case and claiming that the recovered contraband had been supplied to him by the petitioner. Learned counsel has submitted that the petitioner being a victim of false implication is evident from the fact that till date he has never been involved in any case under the NDPS Act, although admittedly there are cases registered under the Excise Act and one case under the IPC registered



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against him.

3. Notice of motion.

4. On asking of the Court, Mr. Navdeep Singh, DAG, Punjab, accepts notice on behalf of the respondent-State.

5. Learned State counsel, on instructions from ASI Rakesh Kumar, has submitted that factually incorrect submissions have been made before this Court qua the petitioner not being involved in any case under the NDPS Act. It has been submitted on instructions that the petitioner stands booked in a case bearing FIR No.136 under Sections 21, 29, 61, 85 of the NDPS Act which was registered as recently as on 23.11.2023 at Police Station Sadar Batala.

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

7. Seeing to the criminal antecedents of the petitioner, as not only he is involved in other cases under the Arms Act and IPC, but also under the NDPS Act, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the instant petition is hereby 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.

09.08.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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