



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-41995-2024
Date of decision: August 29th, 2024

Baljit Singh @ Vicky

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arjun Veer Sharma, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

This is a second petition filed by the petitioner seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in case FIR No.107 dated 06.06.2023 under Section 15 of the NDPS Act, 1985, registered at Police Station Sadar Samana, District Patiala.

2. At the outset, a pointed query has been put to the learned counsel as to how the instant petition is maintainable, more so when the previous petition was dismissed on 01.09.2023 (Annexure P-11), wherein the following order was passed:-

*“After arguing for some time, when this Court was not inclined, a prayer was made by learned counsel for the petitioner for withdrawal of the instant petition.
Dismissed as withdrawn.”*

3. On a further query put to the learned counsel as to whether the petitioner had been declared a proclaimed offender, he has categorically replied in the negative.

4. Notice of motion.

5. On the asking of the Court, Mr. Amit Rana, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the State.

6. Learned State counsel, on instructions from ASI Avtar Singh, has submitted that the petitioner is on the run and proceedings under Section 82 of the Cr.P.C. have already been initiated against him. It has been further brought to the notice of this Court by the learned State counsel, on instructions, that the factum of the petitioner's involvement in other criminal cases including cases under the NDPS Act has been withheld from this Court.

7. Learned counsel for the petitioner has, however, feigned ignorance about the initiation of proceedings under Section 82 of the Cr.P.C.

8. In the aforementioned facts and circumstances, more so when the previous prayer seeking anticipatory bail had been declined in the terms as already stand reproduced hereinabove, no ground is made out to accept the instant petition.

9. The instant petition stands 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.

August 29th, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No