



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-48676-2024

Date of decision: 15.10.2024

Sukhpal Singh @ Sukha

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikas Kumar Gupta, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') in case FIR No.454 dated 16.10.2022 under Sections 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), registered at Police Station Dawali Sadar (Sirsa), District Sirsa.

2. On the last date of hearing learned State counsel had been directed to get instructions as to whether any proceedings under Section 84 of the Bharatiya Nagarik Suraksha Sanhita, 2023 had been initiated against the petitioner.

3. Learned State counsel, on instructions from ASI Surender Kumar, has replied in the negative. However, it has been submitted by learned State counsel on instructions that the petitioner has previous criminal antecedents; he is involved in three criminal cases including



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one case under the NDPS Act. Learned State counsel on instructions has also submitted that the petitioner was an accomplice of the co-accused as it was he, who while driving a car was not only piloting the truck which was loaded with poppy husk but even a recovery of 66 kgs of poppy husk was made from the rear seat of his car. It has also been submitted that on being apprehended and arrested when the petitioner was produced before the learned Illaqa Magistrate, he absconded. A prayer has, therefore, been made for dismissal of the instant petition.

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

5. Prima facie, there are serious and specific allegations against the petitioner; it is also a matter of record that the petitioner is involved in three criminal cases including one under the NDPS Act. Furthermore, after the petitioner was apprehended at the spot, he fled away while being produced before the learned Illaqa Magistrate. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

6. 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.

15.10.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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