



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.48972 of 2024
Date of decision: 30th September, 2024

Mandeep Singh @ Bittu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manjinder S. Saini, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 482 BNSS in case FIR No.01 dated 03.01.2024 under Sections 22/29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Chabbewal, District Hoshiarpur.

2. Learned counsel for the petitioner inter alia submits that no recovery of any contraband was affected from him and he came to be nominated as an accused only on the basis of a disclosure statement allegedly suffered by a co-accused, from whom recovery of 160 grams of intoxicant powder was alleged affected. Learned counsel submits that in the circumstances, false implication of the petitioner in the instant case cannot be ruled out, coupled with the fact that such disclosure statement has a very weak evidentiary value.

3. On a pointed query put to the learned counsel as to whether the petitioner has any criminal antecedents, he has fairly conceded that the petitioner is involved in six other criminal cases under the NDPS Act.

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

5. As per the allegations levelled in the FIR, which has been annexed as Annexure P-1, a car was intercepted by the police and from the said car, which was being driven by co-accused Harjit Singh, recovery of 160 grams of intoxicant powder was allegedly affected. The co-accused, during investigation, suffered a disclosure statement wherein he nominated the petitioner as being the person who had been supplying the recovered contraband to him.

6. Prima facie, the petitioner does come across as a habitual offender as it is evident that this is not the first time that he has been booked in a case under the NDPS Act. It is a matter of record that the petitioner is already booked in six other cases under the NDPS Act. In the facts and circumstances as enumerated hereinabove, this Court does not therefore deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner in the instant case. The petition 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

September 30, 2024
rps

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