



CRM-M-52290-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CRM-M-52290-2024
Date of Decision : 21.10.2024

Kulwinder Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON’BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Dheeraj Narula, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl. AG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, filed under Section 482 of BNSS, 2023 (under Section 438 Cr.P.C.), prayer is made for grant of anticipatory bail to the petitioner in case FIR No.669 dated 23.09.2024 (Annexure P-1), under Section 21(b) of NDPS Act No.61 of 1985, registered at Police Station Rania, District Sirsa, Haryana.
2. On asking for the relief (supra), learned counsel for the petitioner submits that it is a case of false implication, and furthermore, the petitioner has also moved a representation dated 22.12.2023, to the Superintendent of Police, Sirsa, having apprehension that the petitioner might be framed in a false case.
3. This Court has considered the submissions made by the learned counsel for the petitioner.
4. In the instant case, 102 gram of heroin was recovered from the co-accused, Gurtej Singh @ Teja, who is the main accused, along with



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Rs.67,000/-, which is a crime proceed. The name of the petitioner was nominated on the disclosure statement suffered by the main accused, being one of the suppliers. The perusal of the instant petition reflects that the petitioner is involved in five other cases, out of which, four are registered under the NDPS Act. The petitioner after having availed the remedy of bail from Court concerned, yet involved himself in the business of supplying the drugs.

5. *Prima facie* this Court is of the considered opinion that the petitioner is a habitual offender, and he has not mend his ways, after involving in four other cases. The contention that the disclosure statement of the co-accused carries no probative value, would be considered at an appropriate stage of trial, by the learned trial Court concerned.

6. Be that as it may, considering the fact that the petitioner is a habitual offender, this Court is not inclined to grant the relief of pre arrest bail to the petitioner. Consequently, the instant petition is **dismissed**.

(KULDEEP TIWARI)
JUDGE

October 21, 2024
Manpreet

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