



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

107**CRM-M-55742-2024****Date of decision: 11.11.2024****MUKHTIAR SINGH**

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harshit Joon, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition filed under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 is for granting the concession of anticipatory bail to the petitioner in case FIR No.135 dated 09.10.2024 under Section 15 (Section 29 added later on) of the NDPS Act, 1985 registered at Police Station Dakha, Police District Ludhiana (Rural), District Ludhiana.

2. It has been argued by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case on a disclosure statement allegedly suffered by co-accused Rajji, who claimed that the recovered contraband i.e. 32.640 Kgs. of poppy husk had been purchased by her husband i.e. the petitioner, who was involved in the trafficking of poppy husk. Learned counsel has argued that the disclosure statement, on the basis of which the petitioner has been nominated as an accused, has very weak evidentiary value; furthermore, the recovered contraband is less than the quantity classified as commercial under the Act.



3. On a pointed query put to the learned counsel as to whether the petitioner has any previous criminal antecedents, he has very fairly conceded that the petitioner has previously also been involved in three other cases under the NDPS Act, however, in all those cases the recovered quantity of poppy husk was “non commercial” and had already served out his sentence in the other three criminal cases, on the confession made by the petitioner himself.

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

5. *Prima facie*, the petitioner comes across as a habitual offender as it is a matter of record that this is the 4th time that he has yet again been booked in a case under the NDPS Act.

6. In the facts and circumstances as enumerated herein-above, especially in the wake of his past conduct, this Court does not deem it fit to extend the extraordinary concession of bail to the petitioner.

7. Accordingly, the instant petition is hereby 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

November 11, 2024

poonam

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No