



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

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CRM-M-63614-2024

Date of decision: 18.12.2024

HARPAL SINGH

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Puneet Kakkar, 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.0115 dated 08.08.2022 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kot Ise Khan, District Moga.
2. Learned counsel for the petitioner submits that the petitioner was neither named in the secret information received by the police nor is he alleged to have been present along with the co-accused from whom a recovery of 210 tablets of Etizolam were made. Learned counsel for the petitioner submits that the petitioner came to be nominated as an accused in the present case on the basis of a disclosure statement allegedly suffered by co-accused Malkit Kaur; the disclosure statement on the basis of which the petitioner has been nominated as an accused has limited evidentiary value.
3. On a pointed query put to the learned counsel as to whether the petitioner has any previous criminal antecedents, he has categorically replied in the negative.



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4. Notice of motion

5. At the asking of the Court, Mr. H.S. Grewal, Senior DAG, Punjab accepts notice on behalf of the respondent-State. Learned State Counsel while opposing the prayer and submissions made by the counsel opposite has, on instructions from ASI Pavinder Singh, submitted that the petitioner has withheld his involvement in two other criminal cases out of which one is under the NDPS Act. It has also been asserted by the learned State counsel, on instructions, that the petitioner was the supplier of the recovered contraband.

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

7. Prima facie, the petitioner does come across as a man of criminal antecedents and it is evident that he has been repeatedly misusing the concession of bail granted to him in other cases which were registered against him previously under the NDPS Act. In the circumstances, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

8. 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

December 18, 2024

poonam

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No