(106)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-64373-2024 (O&M)
Date of decision:- 19.12.2024

Gurmeet Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present:- Mr. Deepak Kumar, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

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SHEEL NAGU, C.J. (ORAL)

1. The petitioner apprehending his arrest has filed this petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking anticipatory bail in case FIR No. 0286, dated 17.09.2024 under Sections 15(b) and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Tohana, District Fatehabad.

2. The petitioner is alleged with offence punishable under Sections 15(b) and 27-A of the NDPS Act, 1985 and, therefore, the rigors of Section 37 of the NDPS Act are squarely applicable in his case.

3. 4 Kgs of poppy-husk has been recovered from the co-accused, which is between small quantity and commercial quantity, on whose disclosure statement, the petitioner has been arrested. The petitioner has an antecedent comprising a similar case where the petitioner has been granted anticipatory bail.

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4. Thus, during the pendency of the earlier bail application, the petitioner committed another offence and, therefore, has breached the condition(s) on which the earlier anticipatory bail was granted.

5. Even the prosecution is yet to conclude evidence against the petitioner which may be of implicative nature and come on record later.

6. In view of the antecedents and rigors of Section 37 of the NDPS Act, no ground is made out to grant anticipatory bail to the petitioner.

7. The petition, accordingly, stands dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

19.12.2024
Amodh Sharma

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

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