



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

CRM-M No.10396 of 2025
Date of decision: 7th March, 2025

Jagdev Singh @ Jagga

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vaibhav Parashar, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. This is second petition filed by the petitioner seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.123 dated 01.07.2024 under Section 22-B of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Garhi, District Jind (Haryana).

2. Learned counsel for the petitioner contends that the petitioner was not apprehended at the spot along with co-accused Madan, who was allegedly intercepted based on secret information, leading to the recovery of 400 tablets of Tramadol from his possession. It is submitted that the petitioner was subsequently implicated solely on the basis of a disclosure statement allegedly made by co-accused Madan, in which he claimed that the recovered contraband had been supplied to him by the petitioner.

3. It has been argued by the learned counsel for the petitioner that such a disclosure statement, being inadmissible as substantive evidence, is weak and unreliable. The implication of the petitioner in the present case, it is urged, is baseless and without independent corroboration.

4. Learned counsel further submits that although this is the petitioner's second petition for anticipatory bail, he had approached the trial Court afresh after withdrawing his previous petition before this Court. This subsequent petition, it is contended, was necessitated by the fact that the prime accused, Madan, had been granted regular bail by the trial Court. It has been submitted that despite co-accused Madan having been granted regular bail, the trial Court erroneously dismissed the application for anticipatory bail yet again vide the impugned order.

5. On a pointed query put by the Court as to whether the petitioner has any previous criminal antecedents, learned counsel has fairly conceded that the petitioner stands booked in two other cases under the NDPS Act, in addition to one case under the Indian Penal Code. When asked about the criminal antecedents of co-accused Madan, learned counsel has stated that he has no previous criminal antecedents.

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

7. This Court finds no ground to extend the extraordinary concession of anticipatory bail to the petitioner. The petitioner's antecedents reveal that he is involved in three other criminal cases,

including two under the NDPS Act. His alleged role as the supplier of the recovered contraband, coupled with his prior involvement in similar offences, prima facie indicates that he is an active participant in drug trafficking activities.

8. In cases under the NDPS Act, particularly where the allegations pertain to the supply and distribution of contraband, courts must exercise caution in granting anticipatory bail. The repeated involvement of the petitioner in offences under the NDPS Act strengthens the apprehension that he is a habitual offender engaged in the illicit trade of narcotics.

9. In the facts and circumstances as enumerated hereinabove, 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

March 7, 2025
rps

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