



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

140

CRM-M-10824-2025

Date of decision: 25.02.2025

Rahul Naib

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rajiv Kumar Saini, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.95 dated 12.09.2024 under Sections 21, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), registered at Police Station Fatehgarh Churian, District Batala.

2. Learned counsel for the petitioner submits that the false implication of the petitioner in the present case is evident from the fact that he was not present along with co-accused Sanjeev Kumar from whom a recovery of 130 grams of heroin along with drug money of Rs.5,200/- was allegedly effected. Learned counsel has submitted that the petitioner's name surfaced in a disclosure statement allegedly made by co-accused Sanjeev Kumar, wherein he claimed that the recovered contraband had been procured through the petitioner. Learned counsel submits that the disclosure statement, on the basis of which the



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petitioner has been nominated as an accused in the present case, holds weak evidentiary value and, therefore, should enure to his benefit.

3. A pointed query has been put to the learned counsel for the petitioner as to whether the petitioner has any previous criminal antecedents. Learned counsel has fairly conceded that the petitioner is facing trial in multiple criminal cases including two cases under the NDPS Act.

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

5. *Prima facie*, the petitioner does indeed come across as a habitual offender for which he does not deserve the extraordinary concession of anticipatory bail; the petitioner seemingly has misused the concession of bail which was granted to him in the other two pending cases under the NDPS Act, by being again involved in the present FIR.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is hereby dismissed.

7. 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.

25.02.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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