



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-15630-2024

Date of decision: 14.07.2025

Harnek Masih alias Neki

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Hitesh Chopra, Advocate with
Mr. Amit Kumar, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.11 dated 29.01.2022 under Sections 307, 120-B of the IPC, Sections 25/54/59 of the Arms Act, 1959 and Sections 27-A, 30, 35 of the NDPS Act, 1985, registered at Police Station Kalanaur, District Gurdaspur.

2. Learned counsel for the petitioner yet again prays for an adjournment to address arguments.

3. It needs to be pointed out that the instant petition was filed way back on 20.03.2024 and ever since then, not even on a single day, have the arguments been advanced by the learned counsel for the petitioner. It would be apposite to reproduce all the orders since 05.04.2024, which read as under:-

“Order dated 05.04.2024

Present: None for the petitioner.



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Mr. Navdeep Singh, DAG, Punjab.

There is no representation on behalf of the petitioner.

In the interest of justice, adjourned to 17.05.2024.

Order dated 17.05.2024

Present: None for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

There is a written request for adjournment on behalf of learned counsel for the petitioner.

In the interest of justice, adjourned to 23.08.2024.

Order dated 23.08.2024

Present: Mr. Hitesh Chopra, Advocate for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Learned counsel for the petitioner prays for an adjournment to place on record the copy of challan.

On his request, adjourned to 29.10.2024.

Order dated 29.10.2024

Present:- None for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

On written request circulated on behalf of learned counsel for the petitioner, adjourned to 22.01.2025.

Order dated 22.01.2025

Present: None for the petitioner.



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*Mr. Amit Rana, Senior Deputy Advocate
General, Punjab.*

*Case has been called. However, none has
entered appearance on behalf of the petitioner.*

*In the interest of justice, adjourned to
24.04.2025.*

Order dated 24.04.2025

*Present: Mr. Hitesh Chopra and Mr. Amit Kumar,
Advocates for the petitioner.*

*Mr. Amit Rana, Senior Deputy Advocate
General, Punjab.*

*Learned counsel for the petitioner prays for a
short adjournment to file the deposition of the complainant
since the complainant has failed to identify the petitioner
before the trial Court.*

On his request, adjourned to 14.07.2025.”

4. This Court, therefore, is not inclined to adjourn the case anymore.

5. Learned State counsel, on the other hand, has vehemently opposed the prayer made by the counsel opposite and has submitted that the petitioner is a man of criminal antecedents and is a habitual offender; this is not for the first time that he has been booked in a case under the NDPS Act. Earlier also, the petitioner is facing trial in three more cases under the NDPS Act wherein huge quantities of heroin (53 kgs in FIR No.11 dated 28.01.2022, huge cache of arms in FIR No.70 dated 18.12.2024 and FIR No.113 of 2019) was involved.

6. After arguing for some time, when this Court was not inclined to accept the prayer of the petitioner in view of his criminal antecedents and he *prima facie* coming across as a habitual offender, a



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prayer was made by learned counsel for the petitioner for withdrawal of the instant petition.

7. Dismissed as withdrawn.

14.07.2025

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(MANJARI NEHRU KAUL)
JUDGE

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