



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

102

CRM-M-21722-2025

Date of decision: May 13th, 2025

Ram Gopal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Laghuinder Singh Sekhon, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail in FIR No.54 dated 18.03.2024 under Sections 15-C, 27-A, 29 of the NDPS Act, 1985 and Sections 201 and 474 of the IPC, registered at Police Station Uchana, District Jind.

2. Learned counsel for the petitioner has contended that although certain secret information was received by the police regarding the involvement of co-accused Karamjit Singh and Iqbal Singh in drug trafficking, no such specific information was received in respect of the present petitioner. It has been further submitted that the petitioner has been nominated as an accused solely on the basis of the disclosure statements made by the aforementioned co-accused, who allegedly stated that it was the petitioner and his son co-accused Chhotu Ram, who piloted the vehicle transporting 146 kilograms of poppy husk.

3. It has been further argued that disclosure statements made by a co-accused do not carry any evidentiary value under the law and are inadmissible unless substantiated by independent corroborative

evidence. It is, therefore, contended that the implication of the petitioner is weak and unsubstantiated and, therefore, he deserves the concession of anticipatory bail, especially considering his advanced age, which is 72 years.

4. On being queried regarding the criminal antecedents of the petitioner, learned counsel has fairly conceded that the petitioner is indeed facing prosecution in multiple other cases, including under the NDPS Act, but submits that he is on bail in those cases. The counsel for the petitioner submits that this further indicates that the petitioner is a victim of false implication.

5. Notice of motion.

6. On the asking of the Court, Mr. Rahul Mohan, Senior Deputy Advocate General, Haryana, accepts notice on behalf of the respondent.

7. *Per contra*, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel, on instructions, has submitted that the petitioner is a habitual offender involved in as many as five other criminal cases, out of which three are under the NDPS Act. It is further submitted that the present offence was committed while the petitioner was already on bail in the previous cases, clearly demonstrating that he has misused the concession of bail granted to him earlier. The learned State counsel, therefore, prays that the instant petition be dismissed as the petitioner does not deserve the extraordinary concession of anticipatory bail.

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

9. While disclosure statements in isolation may not form the

sole basis of conviction and are indeed regarded as weak pieces of evidence, their value cannot be entirely disregarded when considered in conjunction with the broader factual matrix of the case. In the instant case, the petitioner has not been named in the initial secret information received by the police. However, the disclosure statements of the co-accused, though not substantive evidence by themselves, acquire a certain degree of relevance when viewed against the backdrop of the petitioner's multiple prior involvements in serious offences under the NDPS Act. It is undisputed that the petitioner is facing trial in several other cases, including three under the NDPS Act, and that the present FIR has been registered during the subsistence of bail granted in those cases.

10. This repeated involvement in serious offences, particularly under a stringent statute like the NDPS Act, leads to a *prima facie* inference that the petitioner is a habitual offender, who has consistently misused the liberty granted to him.

11. In view of the facts and circumstances as enumerated hereinabove, and considering the repeated involvement of the petitioner in offences under the NDPS Act, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to him.

12. Accordingly, the instant petition stands dismissed.

13. 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.

May 13th, 2025

Puneet

(MANJARI NEHRU KAUL)
JUDGE

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