

2025:PHHC:116554



CRM-M-22602-2025

::1::

(218) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22602-2025
Date of Decision: 28.08.2025

TARUN BATRA

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Manvinder Sidhu, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in this third petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.51 dated 18.05.2021 registered under Sections 8, 21, 22, 27-A, 29 of NDPS Act and Sections 420, 120-B, 468, 471 IPC at Police Station Mattewal, District Amritsar Rural.

2. The present FIR came to be registered at the instance of PHG Lovepreet Singh and the same reads as under:-

"Head Munshi, Police Station Mattewal. Today I/ASI along with S.I. Kewal Singh 1397, ASI Harjinder Singh 1356, ASI Lakha Singh 1361, PHG Lovepreet Singh 3069 on a Government vehicle Number PB-02-BS-9394, whose Driver is CT. Desbir Singh 1853, taking along the Laptop Printer, were present at BhojeAdda regarding patrolling and barricading, when ASI Rashminder Singh Number 30/ASR-R, Incharge: Chowki, Tahli Sahib informed myself S.I./S.H.O. over phone that today I along with LR/ASI Rajwant Singh 1327 Amritsar Rural, ASI Avtar Singh 912, ASI Sawinder Singh on a private vehicle (Card) were going from Tahli



CRM-M-22602-2025

::2::

Sahib to Amritsar Side for some Government work, when the Police Party reached Fatehgarh Churian Road, BalKalan, then special Informer informed me A.S.I. that Sameer Kumar son of Akshay Kumar, resident of Street No. 1, Ward Number 16, Majitha Road, Amritsar and Gurmukh Singh son of Joga Singh, resident of Mallu Nangal, Police Station: Rajasansi, In a vehicle ALTO K-10 bearing number PB02-CX-9948, White coloured and Suraj Kumar son of Akshay Kumar, resident of Street No. 1, Ward Number 16, Majitha Road, Amritsar riding on a Yamaha FZ Motorcycle, bearing Number PB-02-CA-6160, by taking along the intoxicating tablets, together are going from Amritsar to Fatehgarh Churian side for supplying the same. The aforesaid information is true, reliable and tangible, which comes in the purview of Section 22-61- 85 N.D.P.S. Act, on which after preparing the 'Rukka/ Inscription, the same is being sent to the Police Station by hand through PHG Lovepreet Singh 3069 for registration of a case. After registering the case, the case number be Intimated. Control Room be informed through Wireless. After Issuing the Special Reports, the same be submitted to Illaqa Magistrate Sahib and Officers. Myself S.I./S.H.O. along with the companion employees am proceeding at the spot of for recovery. Sd/- Lovepreet Singh, S.I., Station House Officer, Police Station: Mattewal, dated 18.05.2021, Today in the area of Bhoye Adda area at 04.15 p.m."

3. After sending the aforesaid 'Ruqa' for the registration of an FIR, S.I Lovepreet Singh conducted a Nakabandhi at the main road near the village Bal Kalan, Amritsar and apprehended Sameer Kumar @ Pardhan, Gurmukh Singh and Suraj Kumar while travelling on a Maruti Alto K-10 car PB02-CX-9948 and Yamaha FZ motorcycle No. PB02-CA-6160 respectively with the help of the Police party. During the search of the aforesaid Maruti Alto K-10 car PB02-CX-9948, a total of 49,500/- Tramadol Hydrochloride Tablets- IP

**CRM-M-22602-2025**

::3::

Clopidol-100 SR i.e., 99 boxes containing 10 strips each having 50 tablets in each strip having batch Nos. UFT-042 and UFT-043, were recovered from a cardboard box kept at the rear seat of the car. During the personal search of the co-accused Suraj Kumar, a total of 500/- Tramadol Hydrochloride Tablets- IP Clopidol-100 SR i.e., 10 strips each having 50 tablets in each strip, were recovered from him, which were concealed by him in a white cloth (parna) wrapped around his waist. The aforesaid searches were conducted by S.I Lovepreet Singh and recoveries were effected in the presence of the then Deputy Superintendent of Police, Sub-division Majitha, Amritsar (Rural) as per the choice of the aforesaid co-accused persons after issuing them Notices under section 50 of the NDPS Act. The aforesaid accused could not produced any license, document or authorization relating to the purchase and possession of the aforesaid recovered psychotropic tablets, which were taken into Police possession in accordance with the prescribed procedures and the aforesaid three co-accused were arrested by the investigating officer.

4. During their custodial interrogation, Sameer Kumar, Gurmukh Singh and Suraj Kumar suffered separate disclosure statements dated 18.05.2021 disclosing therein that they were involved in illicit sale of intoxicant tablets by purchasing the same from the co-accused Manu Chauhan (actual name Rahul Chauhan @ Manu) and used to share profits with Manu Chauhan. On the basis of the aforesaid disclosure statements, Rahul Chauhan @ Manu was nominated as co-accused and section 29 NDPS

**CRM-M-22602-2025**

::4::

Act was added in the case vide GD No. 24 dated 18.05.2021. He was also arrested on 18.05.2021.

5. During his further custodial interrogation, Sameer Kumar suffered an another disclosure statement dated 22.05.2021, disclosing therein that a friend of co-accused Rahul Chauhan @ Manu namely Manish Dua @ Prince, was also involved with them in the illicit procurement and sale of intoxicant tablets, who was nominated as co-accused in case vide G.D No. 11 dated 22.05.2021 on the basis of the aforesaid disclosure statement.

6. During the course of investigation, it was found that 50,000 psychotropic tablets recovered from Sameer Kumar, Gurmukh Singh and Suraj Kumar were manufactured by Unique Formulations situated at Main Road, Devi Nagar, Paonta Sahib, District Sirmaur, Himachal Pradesh.

7. On 27.05.2021, the investigating officer along with Police party accompanied by two Drugs Inspectors from Amritsar visited the premises of the Unique Formulations, Paonta Sahib and obtained the required record relating to the manufacturing and sale of 50,000 Psychotropic tablets of the batch Nos. UFT-042 and UFT-043, recovered from co-accused Sameer Kumar, Gurmukh Singh and Suraj Kumar from its owner cum Manager Munish Mohan in the presence of the circle Drug Inspector. During the scrutiny of the aforesaid record, it was found that the aforesaid 50,000 psychotropic tablets having batch Nos. UFT-042 and UFT-043 were manufactured in the aforesaid factory i.e., Unique Formulations, in the name of P B Pharmaceuticals, Raj Tower, 3rd Floor, Hauz khas, New Delhi-110016

**CRM-M-22602-2025**

::5::

without any written order/authorization and thereafter, the same were sold to M/s Mansi Medicos, Shop No.1, DDA Market, Ghandoli Complex, Mayur Vihar, Phase-3, East Delhi owned by co-accused Prem Kumar Jha through co-accused Ranu Bhargav. During the inspection of the aforesaid factory by the Circle Drug Inspector, Paonta Sahib, serious irregularities and flagrant violation of the rules were found. During the search of the premises of the aforesaid Unique Formulations, Paonta Sahib, a total of 30 lakh 61 thousand 647 psychotropic tablets/capsules kept concealed in the different rooms without proper documentation/record were recovered by the investigating officer, which were taken into Police possession vide recovery memo dated 27.05.2021 in the presence of two Drug Inspector from Amritsar i.e., Amarpal Singh Malhi and Sukhdeep Singh, and Ms. Bhumika, Circle Drug Inspector, Paonta Sahib and co-accused Munish Mohan was arrested in the case.

8. The petitioner-Tarun Batra along with Chetan Parmar and Ranu Bhargav were nominated as co-accused and sections 420, 468, 471 & 120-B IPC R/w section 29 NDPS Act were added in the case vide G.D No. 13 dated 28.05.2021 on the basis of the disclosure statement dated 28.05.2021 suffered by co-accused Munish Mohan during his custodial interrogation, who disclosed therein that he along with the petitioner and co-accused Chetan Parmar had established the factory with the name of Unique Formulations in June 2020 for manufacturing of sanitizers and co-accused Chetan Parmar had procured the drugs manufacturing license from the office of Drug Controller by using his political links. The petitioner and co-accused Chetan Parmar had

**CRM-M-22602-2025**

::6::

also financed the installation of the machinery in the aforesaid factory. He further disclosed that the petitioner along with his friend Ahsish Sardana @ Vivek used to regularly visit the factory premises and he along with the petitioner, Chetan Parmar and Ahsish Sardana @ Vivek had sent a consignment of 08 lakh Tramadol Hydrochloride tablets in two parts of 04 lakh tablets each on 01.05.2021 and 11.05.2021 including the recovered Psychotropic tablets i.e., Tramadol Hydrochloride Tablets-IP Clocidol-100 SR having batch Nos. UFT-042 and UFT-043, to M/s Mansi Medicos, Shop No.1, DDA Market, Ghandoli Complex, Mayur Vihar, Phase-3, East Delhi on the basis of the order given by co-accused Ranu Bhargav and the bulity of the aforesaid consignment was booked in the name of Prem Kumar Jha, Proprietor of M/s Mansi Medicos. He further disclosed that Ranu Bhargav had transferred Rs. 4 lakh for the purchase of the aforesaid consignments in the account No. 11391132 000348 of Punjab National Bank, Branch Paonta Sahib of Unique Formulations, which were withdrawn by him and thereafter, handed over to the petitioner and co-accused Chetan Parmar. He further disclosed that land and building of the factory was owned by co- accused Chetan Parmar and a bogus rent agreement was prepared in the name of Unique Formulations and he was paid Rs. 40,000/- per month as salary being a Manager of the factory.

9. During the course of the investigation, it has been found that the petitioner and co-accused Chetan Parmar were the actual owners of Unique Formulations, who had employed co-accused Manish Mohan as a manager on

**CRM-M-22602-2025**

::7::

the salary of Rs. 40,000/- per month and the drugs manufacturing license was procured by co-accused Chetan Parmer in the name of Manish Mohan. The co-accused Ranu Bhargav was working as agent for them, who used to procure orders for the supply of Tramadol Hydrochloride Tablets-IP manufactured at the factory of Unique Formulations by Manish Mohan and the consignment of the manufactured drugs were sent in the name of fake firms without any documentation/or fake documentation. During the investigation, it has been found that petitioner and co-accused Chetan Parmer had provided the funds/money for the establishing and operating the factory under the name of Unique Formulations. As per the record found during the course of investigation, the petitioner had transferred Rs. 20,79,356/- in the bank account of the Unique Formulations and an another amount of Rs. 3,28,907/- was transferred by him from the bank account of Apple Field International Company in the bank account of Unique Formulations. Whereas, co-accused Chetan Parmar had transferred Rs. 23,70,000/- in the bank account of Unique Formulations and his wife Vandana Parmar had transferred Rs. 2,40,000/- from her bank account in the bank account of the Unique Formulations. The Psychotropic tablets manufactured at the factory of Unique Formulations were marketed in the name of PB Pharmaceuticals, Raj Tower, 3rd Floor, Hauzkhas, New Delhi-110016 but no documentary record in that respect was maintained by the petitioner and co-accused Manish Mohan, Chetan Parmer. The manufactured Psychotropic tablets/capsules were further distributed/ by co-accused Ranu Bhargav being their marketing/sales agent by



CRM-M-22602-2025

::8::

procuring orders from prospective buyers.

10. The petitioner was arrested on 24.01.2024 from Jagadari, District Yamuna Nagar during the course of investigation.

11. Section 25 NDPS has been added in the case vide G.D No. 17 dated 19.07.2024.

12. The learned counsel for the petitioner contends that the petitioner had been falsely implicated in the present case. He contends that the name of the petitioner figured in the disclosure statement of his co-accused. Pursuant to his arrest, no recovery whatsoever had been effected. Reliance is placed on the judgments in the cases of Tofan Singh Versus State of Tamil Nadu, 2020 AIR (Supreme Court) 5592, Rakesh Kumar Singla Versus Union of India, 2021(1) RCR (Criminal) 704, Surinder Kumar Khanna Versus Intelligence Officer Directorate of Revenue Intelligence, 2018(3) RCR (Criminal) 954, State by (NCB) Bengaluru Versus Pallulabid Ahmad Arimutta & Anr. 2022(1) RCR (Criminal) 762, Sanjeev Chandra Agarwal & Anr. Versus Union of India 2021(4) RCR (Criminal) 590, Vijay Singh Versus The State of Haryana, bearing Special Leave to Appeal (Crl.) No.(s).1266/2023 decided on 17.05.2023, State of Haryana versus Samarth Kumar 2022 (3) RCR (Criminal) 991 and Vikrant Singh Versus State of Punjab, CRM-M-39657-2020.”, wherein it has been held that the accused can be granted the

concession of regular bail where he has been named in the disclosure statement of his co-accused and there is no other corroborative evidence against the accused. As the petitioner is in custody since 24.01.2024 but none



CRM-M-22602-2025

::9::

of the 80 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he was entitled to the concession of bail even though there were two other cases bearing FIR No.54 dated 26.04.2019 U/s 21, 18(c) NDPS Act, P.S. Majra, District Sirmour, HP and FIR No.66 dated 30.05.2021 U/s 8 & 22 of NDPS Act R/w Sections 420, 467, 468, 471 & 120-B IPC P.S. Paonta Sahib, District Sirmour pending against him.

13. The learned counsel for the State contends that in view of the serious allegations levelled against the petitioner, he was not entitled to the grant of bail. He was an accused in two other cases bearing FIR No.54 dated 26.04.2019 U/s 21, 18(c) NDPS Act, P.S. Majra, District Sirmour, HP and FIR No.66 dated 30.05.2021 U/s 8 & 22 of NDPS Act R/w Sections 420, 467, 468, 471 & 120-B IPC P.S. Paonta Sahib, District Sirmour. Even otherwise, there were no change in circumstances warranting grant of bail when the second bail application of the petitioner came to be withdrawn on 01.07.2024. He, however, concedes that the petitioner had been named in the disclosure statement, is in custody since 24.01.2024 but none of the 80 prosecution witnesses have been examined so far.

14. I have heard the learned counsel for both the parties at length.

15. The Hon'ble Supreme Court in the case of **State of Haryana Versus Samarth Kumar 2022 (3) RCR (Criminal) 991**, held as under:-

“4. The High Court decided to grant pre-arrest bail to the respondents on the only ground that no recovery was effected from the respondents and that they had been implicated only



CRM-M-22602-2025

::10::

on the basis of the disclosure statement of the main accused Dinesh Kumar. Therefore, reliance was placed by the High Court in the majority judgment of this Court in Tofan Singh v. State of Tamil Nadu reported in (2021) 4 SCC 1.

5. But, it is contended by the learned Additional Advocate General appearing on behalf of the State of Haryana that on the basis of the anticipatory bail granted to the respondents, the Special Court was constrained to grant regular bail even to the main accused-Dinesh Kumar and he jumped bail. Fortunately, the main accused-Dinesh Kumar has again been apprehended. According to the learned Additional Advocate General, the respondent in the second of these appeals is also a habitual offender.

6. Learned counsel appearing on behalf of the respondent in the first of these Appeals contends that the State is guilty of suppression of the vital fact that the respondent was granted regular bail after the charge-sheet was filed and that therefore, nothing survives in the appeal. But, we do not agree.

7. The order of the Special Court granting regular bail to the respondents shows that the said order was passed in pursuance of the anticipatory bail granted by the High Court. Therefore, the same cannot be a ground to hold that the present appeals have become infructuous.

8. In cases of this nature, the respondents may be able to take advantage of the decision in Tofan Singh v. State of Tamil Nadu (supra), perhaps at the time of arguing the regular bail application or at the time of final hearing after conclusion of the trial.

9. To grant anticipatory bail in a case of this nature is not really warranted. Therefore, we are of the view that the High



CRM-M-22602-2025

::11::

Court fell into an error in granting anticipatory bail to the respondents.

10. In view of the above, the appeals are allowed. The impugned orders are set-aside. As a consequence, the Appellant-State is entitled to take steps, in accordance with law.

[emphasis supplied]

16. In **Vijay Singh Versus The State of Haryana, bearing Special Leave to Appeal (Crl.) No.(s).1266/2023 decided on 17.05.2023**, it was held as under:-

“The petitioner is alleged to have committed offences under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter called the NDPS Act”. His application for anticipatory bail was rejected by the High Court. The allegations in the FIR are that 1.7 Kg of Poppy Straw (Doda Post) was recovered from the co-accused. The petitioner concededly was not present at the spot but was named by the co-accused. That apart there is no other material to implicate the petitioner. The prosecution urges that another case with allegations of commission of offence under the NDPS Act are pending against the petitioner. It is not denied that in those proceedings he was granted bail.

Having regard to these circumstances, the petitioner is directed to the enlarged on anticipatory bail, subject to such terms and conditions as the trial Court may impose.

The petition is allowed.

All pending applications are disposed of.”

(emphasis supplied)

17. This Court in the case of **Vikrant Singh Versus State of Punjab, CRM-M-39657-2020**, held as under:-



CRM-M-22602-2025

::12::

“It is not in dispute that the petitioners have not been named in the FIR. No recovery has been effected from the petitioners and the alleged recovery has been effected from two co-accused Rakesh Sharma and Ravdeep Singh alias Sheru. The petitioners are sought to be implicated solely on the basis of the disclosure statement made by the co-accused Rakesh Sharma and Ravdeep Singh @ Sheru and even after the petitioners were arrayed as accused in pursuance of the disclosure statements, no recovery had been made from the petitioners.

The petitioners have been in custody since 06.11.2020 (Vikrant Singh), 05.12.2020 (Subash Chander) and 23.04.2021 (Davinder Singh) and challan in the present case has already been presented and there are 32 witnesses, out of whom only one has been examined and thus, the trial is likely to take time on account of Covid-19 Pandemic. The petitioners are not involved in any other case. With respect to the call details, suffice to say that no dates on which the said calls had been allegedly made by the coaccused, Rakesh Sharma and Ravdeep Singh alias Sheru to the petitioners or vice-versa have been mentioned in the affidavit or in the report under Section 173 Cr.P.C. Moreover, even the transcript of the said conversations are not a part of the record under Section 173 Cr.P.C. A Division Bench of this Court in Narcotics Control Bureau's case (supra), was pleased to observe as under:-

Still further, no conversation detail between accused Ramesh Kumar Patil and accused Sandeep has been produced by the prosecution. Mere call details is not sufficient to prove that Sandeep accused was also involved in the business of narcotic drugs or he had any connected with Ramesh Kumar Patil.



CRM-M-22602-2025

::13::

In view of the above, no case is made out for grant of leave to appeal against the acquittal of Sandeep accused.”

In judgment of the Gujarat High Court in Yash Jayeshbhai Champaklal Shah's case (supra), it has been observed as under:-

“Having heard learned advocates for the appearing parties, it emerges on record that the applicant is not found in possession of any contraband article. Over and above that, the call data records may reveal that in an around the time of incident, he was in contact with the co-accused who were found in possession of contraband. Since there is no recording of conversation in between the accused, mere contacts with the co-accused who were found in possession cannot be treated to be a corroborative material in absence of substantive material found against the accused.”

A perusal of the above judgment would show that without the transcript of the conversations exchanged between the co-accused, mere call details would not be considered to be corroborative material in absence of substantive material found against the accused. In the present case, there is no other material against the petitioners.

Keeping in view the above-said facts and circumstances, as well as law laid down in the judgments noticed hereinabove, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to their not being required in any other case.

(emphasis supplied)



CRM-M-22602-2025

::14::

18. This Court in the case of **Ranjit Singh Versus State of Punjab, CRM-M-25526-2023, decided on 17.07.2023**, held as under:-

“8. Coming back to the facts of the present case, it is pertinent to note here that other than the instant FIR in which the petitioner has been nominated as an accused on the basis of the disclosure statement of the arrested accused, the petitioner is also an accused in two other cases under the NDPS Act. In addition, he had been an accused in three other cases, though he has been acquitted in the said cases. It is highly unlikely that the petitioner would have been implicated in multiple FIRs at the whims and fancies of the Investigating Agency.

9. When there are multiple FIRs against a person over a significant period of time (in this case 18 years), then even though he may have been acquitted in some of those cases, the twin conditions as envisaged under Section 37 of the NDPS Act that he has not committed an offence and was not likely to commit an offence cannot be satisfied.

10. Keeping in view the conduct of the petitioner and his criminal antecedents, his custodial interrogation would certainly be necessary to effect necessary recoveries and to take the investigation to its logical conclusion.

11. In view of the above, I find no merit in the present petition. Therefore, the same stands dismissed.

(emphasized supplied)

19. This Court in **Soni Singh @ Chamkaur Sahib, CRM-M-31645-2022, decided on 20.10.2022**, held as under:-

“The Counsel for the petitioner contends that the petitioner is not named in the FIR nor in the secret information. He has been named only in the disclosure statement of his co-accused which is inadmissible in



CRM-M-22602-2025

::15::

evidence and even otherwise since the recovery effected from him of 3 Kgs of Poppy Husk is of non commercial quantity, therefore the rigors of Section 37 of NDPS Act did not apply to the petitioner. Since the petitioner was in custody since 26.05.2022 and the trial was not likely to be concluded in the near future, he deserved the concession of bail.

The Counsel for the State on the other hand contends that the petitioner is a trafficker along with his co-accused. As per the disclosure statement 200 Kgs of Poppy Husk was to be supplied to the petitioner. Further he is involved in two other cases under the NDPS Act as also one case under the Excise Act and, therefore, did not deserve the concession of bail in view of his antecedents.

I have heard counsel for both the sides at length.

Admittedly, the petitioner in the present case is named in the disclosure statement of the arrested accused. Subsequently thereto 3Kgs of Poppy Husk was recovered at his instance which is a non commercial quantity. It may be relevant to mention here that limitations to the grant of bail under Section 37 of the NDPS Act are in addition to those prescribed under Cr.PC or any other law inforce on the grant of bail as has been set out by the Hon'ble Supreme Court in Satpal Singh Vs. State of Punjab 2018(5) RCR (Criminal) 152. In the present case, the petitioner is involved in two other cases under the NDPS Act. Thus, as he is a habitual offender, he is not entitled to the grant of bail even under Section 439 Cr.PC keeping in view his antecedents. Even otherwise, assuming that the rigors of Section 37 of the NDPS Act did not apply to the petitioner, that by itself would not ipso facto lead to the grant of bail to the petitioner.

In view of the above discussion, I find no merit in the present petition and the same is therefore dismissed.



CRM-M-22602-2025

::16::

(emphasis supplied)

20. In **Samarth Kumar** (supra) the Hon'ble Supreme Court had clearly held that an accused who had been named in the disclosure statement of a co-accused was not entitled to the grant of anticipatory bail but could be granted regular bail. However, in **Vijay Singh** (supra) a somewhat contrary view was taken and the accused therein was granted the concession of anticipatory bail even though he had been an accused in another case under the NDPS Act in which he was on bail. In **Vikrant Singh** (supra) this Court held that where an accused had been named in the disclosure statement of his co-accused and there were CDRs/WhatsApp calls/chats between the arrested accused and the person named in a disclosure statement then in the absence of the contents of the conversation/chats bail could not be denied to the said accused. In **Ranjit Singh** (supra) and **Soni Singh @ Chamkaur Sahib** (supra) it has been held by this Court that where there were multiple FIRs against an accused over a period of time then, even though he had been named in a disclosure statement, he was not entitled to the concession of bail.

21. Coming back to the facts and circumstances of the present case, other than the instant FIR in which the petitioner has been nominated as an accused on the basis of the disclosure statement of his co-accused, the petitioner is also an accused in two other cases under the NDPS Act. It is highly unlikely that the petitioner would have been implicated in multiple FIRs at the whims and fancies of the investigating agency. Further, the petitioner and one Chetan Parmar are the actual owner of Unique Formulations in who's premises the contraband was manufactured and thereafter, dispatched to different entities

**CRM-M-22602-2025**

::17::

for sale without any proper documentation but on fake documents. The recovery of 3,62,000 tablets (approx.) came to be effected from the factory premises where they were kept concealed in different rooms without proper documentation.

22. Even otherwise, when there are multiple FIRs against an accused over a significant period of time, then the twin conditions as envisaged under Section 37 of the NDPS Act that he has not committed an offence and is not likely to commit an offence cannot be satisfied. Further, the limitation to the grant of bail under Section 37 of the NDPS Act are in addition to those prescribed under the Cr.P.C. or any other law in force on the grant of bail. Thus, a habitual offender is not entitled to the grant of bail even under the provisions of the Cr.P.C. keeping in view his criminal antecedents even though, his co-accused who are similarly situated may have been granted the said concession.

23. Further the first bail application of the petitioner was withdrawn on 15.02.2023. The second bail application of the petitioner withdrawn on 01.07.2024. There are no changed circumstances warranting grant of bail at this stage.

24. In view of the above, I find no merit in the present petition. Therefore, the same stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

28.08.2025

JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No