



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

222

CRM-M-25879-2025**Date of decision: May 16, 2025**

MANDEEP @ HUKKA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is the 6th petition filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.271 dated 16.08.2022 under Section 21-B, 29 (Act No.61) of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Bhuna, District Fatehabad.

2. Learned counsel for the petitioner has primarily prayed for extending the concession of regular bail on account of his prolonged incarceration and also on account of the petitioner having been nominated as an accused in the present case on the basis of a disclosure statement suffered by co-accused Balwinder Singh, from whom a recovery of 7.500 grams of heroin was made. It has been submitted by learned counsel for the petitioner that as on date, only 4 prosecution witnesses out of the 17 have been examined, and therefore, there is no likelihood of the trial concluding in the near future.

4. On being pointedly asked as to whether the petitioner has any previous criminal antecedents, learned counsel submits that although the petitioner is indeed booked in a number of criminal cases, however, it is also a matter of record that he stands acquitted in 10 out of 16 cases registered under the Indian Penal Code while in other 3 cases, the trial is still underway.



5. *Per contra*, learned State counsel has vehemently opposed the prayer and submissions made by learned counsel for the petitioner, by placing on record the custody certificate of the petitioner in the Court today. A copy thereof has also been supplied to the counsel opposite.

6. Learned State counsel has contended that a bare perusal of the custody certificate leaves no manner of doubt that the petitioner is a man of criminal antecedents; as and when the petitioner was extended the concession of bail in some of the other pending cases registered against him, he had absconded and had been declared a 'proclaimed offender', leading to the registration of 6 other criminal cases under Section 174A of the Indian Penal Code. It has been asserted by the learned State counsel that in case the petitioner is enlarged on bail in this case, there is a genuine apprehension that he could yet again abscond or be involved in some other criminal cases, leading to further delay in the conclusion of trial. It has still further been submitted by the learned State counsel that the delay in the conclusion of the present trial is also attributable to the petitioner's involvement in other criminal cases registered against him, for which he had to be produced on production warrants before different Courts including Courts in the State of Rajasthan. Learned State counsel has, therefore, prayed for dismissal of the instant petition.

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

8. *Prima facie*, the petitioner indeed comes across as a man of criminal antecedents. The petitioner, after being enlarged on bail in some of the other criminal cases, absconded as many as 6 times, leading to the registration of 6 additional FIRs under Section 174-A of the IPC. This Court, therefore, concurs with the submissions made by the learned State counsel that there is a strong likelihood that the petitioner could yet again be involved in some other criminal cases, and even abscond, leading to further delay in the trial.

9. In view of the foregoing, this Court does not deem it fit to extend the concession of regular bail to the petitioner.



10. Accordingly, the instant petition stands dismissed.

11. 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.

12. At this stage, learned counsel for the petitioner has prayed that keeping in view the custody period of the petitioner, appropriate directions be issued to the learned trial Court to expedite the trial and conclude it expeditiously within a time bound manner. Learned trial Court is, therefore, directed to make earnest efforts to expedite the trial and conclude it preferably within the next 4 months.

May 16, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*