

2025:PHHC:080491



118.

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

CRM-M-34895-2025

Date of decision: 07.07.2025

Baljinder Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Aditya Sanghi, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS, 2023, in case FIR No.289, dated 06.06.2025, under Section 17(b) of NDPS Act, 1985, registered at Police Station Sirsa City, District Sirsa.

2. Learned counsel for the petitioner contends that the petitioner is a victim of false implication as he was not accompanying the co-accused when the alleged recovery of 500 grams of opium was made from him. It has been argued by the learned counsel that the petitioner came to be nominated as an accused in the present case on the basis of a disclosure statement purportedly suffered by co-accused, Akashdeep and Kashbir, who claimed that the recovered contraband had been procured through the petitioner. Learned counsel argues that the disclosure statement on the basis

of which the petitioner has been nominated as an accused in the present case holds little evidentiary value and, therefore, the petitioner deserves to be extended the concession of anticipatory bail more so when he is willing to join investigation and cooperate with the Investigating Agency.

3. On a pointed query as to whether the petitioner has any previous criminal antecedents, learned counsel has fairly conceded that the petitioner was facing trial in one other case under the NDPS Act which also pertains to non-commercial quantity and in which he has already been extended the concession of bail. It has been further asserted by the learned counsel that the petitioner has not misused the concession of bail granted to him therein.

4. I have heard learned counsel and perused the material placed on record.

5. Although the petitioner is not stated to have been accompanying the co-accused, Akashdeep and Kashbir, from whom, recovery of 500 grams of opium was made by the police party on suspicion, however, this Court cannot turn a blind eye to the petitioner's previous criminal antecedents. On an earlier occasion also, the petitioner was booked under Section 17 of the NDPS Act wherein 508 grams of opium was recovered from co-accused. The contention of learned counsel that the petitioner is on bail in the previously instituted criminal case against him and he has not misused the said concession, is falsified from the fact that he has apparently misused the said concession by being involved in the present case.

6. In the circumstances, the petitioner prima facie comes across as a habitual offender and thus, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.
7. Present petition stands dismissed accordingly.
8. 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.

(MANJARI NEHRU KAUL)
JUDGE

July 07, 2025
sanjeev

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