

2025:PHHC:000960



214.

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

CRM-M-61832-2024

Date of decision: 08.01.2025

Harjinder Singh alias Butta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vishvajeet Singh Rishi, Advocate, for the petitioner.

Mr. Navdeep Singh, DAG, Punjab, with ASI Charanjit Singh.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.101, dated 23.05.2024 under Section 15 of NDPS Act, 1985 (Section 29 of NDPS Act, 1985 added lateron), registered at Police Station Sadar Khanna, Police District Khanna, Ludhiana.

On the last date of hearing i.e. 10.12.2024, a coordinate Bench of this Court had issued notice to the State after noticing the following submissions of learned counsel for the petitioner:-

“Learned counsel for the petitioner, submits that as per the case of prosecution, 150 kg. poppy husk was recovered from co-accused, whereas, the petitioner is a person financed the other co-accused for the purpose of purchasing the said poppy husk.”

Learned State counsel in compliance of order dated 10.12.2024 has filed a short reply by way of affidavit dated 06.01.2025 of Amritpal Singh Bhaati, PPS, Deputy Superintendent of Police, Police District Khanna, District Ludhiana, on behalf of respondent-State, in Court today, which is taken on record. Learned State counsel has, at the outset, submitted that the petitioner is a man of previous criminal antecedents as it is a matter of record that he has been booked in as many as 03 other cases under the NDPS Act besides that he is facing trial in one case under the IPC. Learned State counsel has still further submitted that no doubt, the petitioner was not present when the alleged recovery of 150 kg of poppy husk was made from the co-accused, however, during interrogation of the co-accused, it surfaced that the petitioner was one of the financiers of the recovered contraband. Hence, the petitioner's prima facie involvement in drug trafficking was evident. Learned State counsel has also asserted that the petitioner had been indulging in drug trafficking even after he was released on bail in 03 other cases under NDPS Act registered against him from which it is apparent that the petitioner had been misusing the concession of bail and the liberty granted to him in the other criminal cases registered against him. It has been also brought to the notice of this Court that after the petitioner was booked in the FIR in question, another case had been registered against him under the NDPS Act.

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

In the facts and circumstances as enumerated hereinabove, and in particular to the involvement of the petitioner in a number of criminal cases, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

Present petition stands dismissed accordingly.

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

January 08, 2025
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No