



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CRM-M No.8872 of 2025

DATE OF DECISION : 17th FEBRUARY, 2025

Maninderjeet Kalia @ Maninderjeet Singh @ Kalia @ Dhol

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

* * * *

Present : Mr. Prateek Pandit, Advocate for the petitioner.

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MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of anticipatory bail, by filing the present petition under Section 482 of the BNSS, in case FIR No.146 dated 08.06.2024, under Sections 21 & 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short, the NDPS Act), registered at Police Station City Kapurthala, District Kapurthala.

2. Learned counsel for the petitioner submits that on the face of it a false and fabricated case has been planted upon him; the petitioner was not present with co-accused Ajay when the alleged recovery of just 50 grams of heroin was made from him. It has been argued by learned counsel that the alleged recovery has been classified as non-commercial under the NDPS Act and hence, the bar under Section 37 of the NDPS Act would not operate against the petitioner.

3. On a pointed query as to whether the petitioner has any previous criminal antecedents, learned counsel submits that although the petitioner has indeed been booked in two other criminal cases, including the case under NDPS Act, however, the petitioner has been acquitted in the second case which stands registered in the Excise Act.



4. Notice of motion.

5. On the asking of the court, Mr. H. S. Deol, Senior DAG, Punjab, accepts notice on behalf of respondent-State.

6. Learned State counsel, on instructions from Inspector Bikramjit Singh, has submitted that a specific secret information was received qua the involvement of not only co-accused Ajay but even the petitioner in drug trafficking. Pursuant to the secret information received co-accused Ajay was nabbed and the alleged recovery effected. Learned State counsel has further submitted that once a specific information had been received qua the involvement of the petitioner, coupled with the fact that he is also facing trial in other case under the NDPS Act, it lends weight to the petitioner's *prima facie* involvement in drug trafficking. Learned counsel submits that in view of the above, the custodial interrogation of the petitioner would be necessary.

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

8. *Prima facie*, the petitioner comes across as a habitual offender and, therefore, this court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the present petition stands dismissed.

9. 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.

17th February, 2025
'raj'

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No