

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-28599 of 2014 (O&M)
Date of Decision:-9.12.2015.

Deepak Soni

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. B.S. Bhalla, Advocate for the petitioner.

Ms. Reeta Kohli, Additional A.G. Punjab with
Mr. Vaibhav Sharma, DAG, Punjab.

SURYA KANT, J. (ORAL)

1.) The petitioner seeks his release on bail in the case FIR No.129 dated 19.9.2013 under Sections 21/22/25/27-A, 29, 61, 85 of the NDPS Act and Sections 420/467/468/471 and 120-B IPC registered at Police Station Division No.6, Ludhiana.

2.) The above stated FIR was registered on receipt of a secret information to the effect that Nitin Goel, Pawan Goel, residents of Sardar Nagar, Moga were involved in the sale of intoxicant drugs and they have formed various companies to run such business, known as, Goel Sales Corporation, Shree Krishna Agency and Atlas Pharmaceuticals. It was further alleged that the petitioner (Deepak Soni son of Harbans Lal) is also running a medical shop under the name of H.L. Medicines and was an

active associate of Pawan Goel and his son Nitin Goel. The FIR was registered and raids were conducted. It is alleged that 8,65,000 intoxicant capsules, 1,34,50,000 intoxicant tables, 12,000 intoxicant injections and 1400 intoxicant small bottles were recovered during those raids. These recoveries included the recoveries effected from the petitioner which were statedly of 'commercial quantity'.

3.) The prosecution has filed its reply/affidavit. As per the allegations contained therein, the petitioner is a habitual offender under the NDPS Act. He is involved in FIR No.10 dated 20.1.2014 registered under the NDPS Act at Police Station Division No.5, Ludhiana.

4.) Learned counsel for the petitioner fairly concedes that in one of the case registered under the NDPS Act, the petitioner has been held guilty and sentenced to undergo rigorous imprisonment for ten years.

5.) Having regard to the nature of allegations, the past conduct of the petitioner and the fact that he has been held guilty in one of the case under the NDPS, we are satisfied that the rigors of Section 37 (1) (b) (ii) are fully attracted in the instant case. The petitioner, thus, cannot be extended the concession of bail.

6.) Dismissed.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

December 9, 2015.

sandeep sethi