

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

**CRM No.M-39399 of 2015 (O&M)
Date of decision : 23.05.2016**

Parbhsharan Singh @ Bunty

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Kamal Singh, Advocate for the petitioner.

Mr. K.D. Sachdeva, Additional Advocate General, Punjab.

...

TEJINDER SINGH DHINDSA, J.

This is the third petition preferred by the petitioner under Section 439 Cr.P.C. seeking benefit of regular bail pending trial in case FIR No.105 dated 21.06.2014, under Sections 15/18/61/85 of the NDPS Act, registered at Police Station Machhiwara, District Ludhiana.

Counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected in the present case is 120 kgs. of poppy husk and 2.5 kgs. of opium. As per prosecution version, on the basis of secret information, an Alto car bearing registration No.PB-10-CJ-7184 was intercepted and Jagpal Singh @ Jagga and Ram Swaroop Singh were apprehended on the spot and recovery of 2.5 kgs. of opium was effected.

Insofar as the present petitioner is concerned, during the course of investigation and on the basis of disclosure statement of the petitioner himself, recovery of 120 kgs. of poppy husk is stated to have been effected from the house of the petitioner from Village Pabhat.

On the previous date of hearing i.e. on 30.03.2016, counsel had contended that it is a case of false implication since the petitioner is a

Government employee and had been allotted government quarter at Machhiwara Sahib. Counsel had also contended that the petitioner was never a resident of Village Pabhat and rather his ancestral village falls in District Bathinda (Goniana Mandi). Upon noticing such contention, counsel for the petitioner was granted time to produce the relevant document to reflect the permanent address that the petitioner had furnished at the time of gaining entry into government service.

In spite of having availing of more than one opportunity, the relevant documents/record has not been placed on record.

On the other hand, the report dated 07.04.2016 of the Station House Officer, Police Station Machhiwara Sahib has been produced by learned State counsel and a perusal of the same would reveal that the assertions on behalf of the petitioner that he has no connection with Village Pabhat is factually incorrect.

This Court for purposes of consideration of the prayer of the petitioner for grant of regular bail does not accept the contention as regards false implication.

The alleged recovery effected in the case is heavy and commercial in nature.

Accordingly, prayer made in the present petition for grant of regular bail is declined.

Petition is dismissed.

23.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**