

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
210**

CRM-M-12312-2017

Date of decision: 11.05.2017

Tarsem Lal @ Tarsem Singh alias Sema

...PETITIONER

VS.

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Ms. Sushma Chopra, Advocate,
for the petitioner.

Mr. Rajesh Mehta, Additional Advocate General, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Custody certificate filed by the counsel for the State is taken on
record.

Petitioner has approached this Court for grant of regular bail.
The recovery, which has been effected from the petitioner, is 13 bags of
poppy husk each weighing 35 Kg.

It has been asserted that the petitioner is a disabled person and
in support thereof, reliance has been placed on the disability certificate
attached with the petition as Annexure P-2 dated 13.09.2013. The said
disability certificate is of a subsequent date i.e. 13.09.2013 whereas the FIR,
in which the petitioner has been arrested, is dated 10.08.2012. The

which has been raised by the counsel for the petitioner, that the petitioner could not have, with such a disability, run away from the spot as per the allegations made in the FIR. Since the recovery from the petitioner is of a huge quantity, the concession of bail, as prayed for, cannot be granted to him. The application, therefore, stands dismissed.

It may not be out of way to mention here that apart from the present case, there are other five NDPS cases registered against him and another criminal case i.e. six in all.

The observations, if any made by this Court in this order, will not be taken as a finding as it is only a prima-facie opinion, which has been expressed by this Court for the purpose of the dismissal of the present application alone and will have no effect/bearing on the merits of the case.

May 11, 2017

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No