

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

CRM-M-26786-2017

Date of decision: 17.11.2017

Harpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Swaran Tiwana, Advocate
for the petitioner.

Mr.Kirat Singh Sidhu, DAG, Punjab.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner – Harpal Singh – an accused in FIR No.88 dated 29.4.2017, under Section 18 of NDPS Act, registered with Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

Briefly stated, facts of the case as per prosecution story are that on 29.4.2017, a police party from Police Station Gobindgarh headed by SI Sukhwinder Singh, at about 1:35 p.m. in the area of near bridge canal village Fatehgarh Niyuan, Police Station Mandi Gobindgarh had intercepted a motorcycle coming from village Kheri Naudh Singh side being driven by Harpal Singh, on which accused Baljit Singh was pillion

riding besides a scooter driven by Harjaap Singh on which Rupinder Singh was pillion riding; that search of Harpal Singh and motorcycle was carried out; that a polythene bag of white colour was recovered by picking up the seat of motorcycle; that it was found to contain opium having weight of 2 kgs. 500 gms.; that sample therefrom was taken out; that search of Baljit Singh revealed that he was carrying opium weighing 750 gms.; that Harjaap Singh on being searched was found to carry 750 gms. of opium in a polythene bag of white colour in the front dicky; that search of Rupinder Singh revealed that he was carrying 500 gms. of opium. Accused were apprehended. After completion of investigation and other formalities, challan against them was filed. Now they are facing trial in the Court of Judge, Special Court, Fatehgarh Sahib. The petitioner – accused Harpal Singh had moved an application for regular bail in the Courts below but was unsuccessful there, as such, he has approached this Court with the same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the petitioner, learned State counsel assisted by learned counsel for the complainant besides going through the record.

The recovery of opium from the petitioner is quite heavy i.e. 2 kg. 500 gms. Obviously, he along with his co-accused had been indulging in drug peddling which is a heinous crime since youth of the area by taking drugs are ruining their health and careers. The persons responsible for creating such habits in the youth are to be dealt with

sternly. Not only the petitioner was carrying heavy quantity of opium but also the motorcycle being driven by him was found to have fake registration number. His co-accused, who are stated to have been granted concession of bail could possibly be given the concession due to small amount of recovery of contraband from them.

Finding no merit in the petition, the same stands dismissed.

However, while parting with the discussion, the trial Court is directed to conclude the trial expeditiously by giving short adjournments.

17.11.2017
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No