

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

CRM-M-10129-2018

Date of decision:-3.5.2018

Baljeet Singh alias Meeti

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Ms.Harpreet Kaur Dhillon, Advocate  
for the petitioner.

Mr.Ramandeep Sandhu, Sr.D.A.G., Punjab.

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**H.S. MADAAN, J.**

This petition for regular bail has been filed by petitioner –  
Baljeet Singh alias Meeti – an accused in FIR No.24 dated 17.2.2017,  
under Section 20 of NDPS Act, registered at Police Station GRP,  
Ludhiana, District Ludhiana.

Briefly stated, the facts of the case as per prosecution story  
are that on 17.2.2017 while being apprehended by the police party from  
Police Station GRP, Ludhiana on platform No.2/3, the accused was found

in possession of 5 kgs. of CHARAS without any permit or licence. The recovered contraband amounting to commercial quantity. The petitioner had filed an application for regular bail in the Court of Sessions, which was declined by learned Judge, Special Court, Ludhiana vide order dated 1.8.2017, as such, he has approached this Court with 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 parties besides going through the record.

Since the recovery involved amounts to commercial quantity, Section 37 of the Act comes in the way, which reads as under:

***Offences to be cognizable and non-bailable.—(1)***

*Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),—*

*(a) every offence punishable under this Act shall be cognizable;*

*(b) no person accused of an offence punishable for 3 [offences under section 19 or section 24 or section 27A and also for offences involving commercial quantity] shall be released on bail or on his own bond unless—*

*(i) the Public Prosecutor has been given an opportunity to oppose the application for such release, and*

*(ii) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.*

*(iii)(2) The limitations on granting of bail specified in clause (b) of sub-section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 (2 of 1974) or any other law for the time being in force on granting of bail.*

The drug trafficking is rising at an alarming rate in this region, especially in the State of Punjab, which has ruined the lives of young men and women. Drug peddlers for a small monetary consideration make the youth to use drugs for a small time excitement/kick. The drug peddlers have successfully destroyed the social fabric of our society and led youth to the wrongful path. Such type of persons need to be dealt with firmly and sternly and no sympathy can be shown to them lest that should prove to be counter productive and result in increase drug trafficking.

Therefore, 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 preferably within a period of six months from the date of receipt of copy of this Court in the said Court.

3.5.2018  
Brij

**(H.S.MADAAN)**  
**JUDGE**

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**