

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

CRM-M No.34306 of 2017 (O&M)

Date of Decision: 23.05.2018

Deepak Kumar @ Bittu Ram

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

Mr. A.S.Dhaliwal, Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.48 dated 18.07.2017, registered under Sections 22, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered at Police Station Bhadaur, District Barnala.

A co-ordinate Bench of this Court, on 26.10.2017, passed the following order:-

“ *Learned State counsel submits that the petitioner was arrested in this case on the disclosure statement of Kala Masih, who has stated that he had purchased the intoxicant recovered from him, from the petitioner. During interrogation recovery of 240 tablets of Alprazolam was also effected from the petitioner, which falls in commercial quantity.*

Learned counsel for the petitioner seeks adjournment to verify the facts stated by learned State counsel.

List on 17.01.2018. ”

At the time of hearing, it has been pointed by learned State Counsel, on instructions from the police official present in the Court, that the present petitioner has already been convicted under Section 22 of the NDPS Act and sentenced to rigorous imprisonment for a period of 50 (fifty) days by the learned Judge, Special Court, Barnala in the present FIR No.48 dated 18.07.2017. Copy of the same is placed on record and marked as 'X'.

In view of above, the present petition is rendered infructuous.

Ordered accordingly.

May 23, 2018

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>