

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

CRM-M No. 47309 of 2017

DATE OF DECISION :- March 26, 2018

Dalbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present:- Mr. Joginder Pal Ratra, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, Assistant Advocate General,
Punjab.

This petition for regular bail has been filed by petitioner Dalbir Singh, an accused in F.I.R. No. 158 dated 31.10.2017 for an offence under Section 22 of the NDPS Act registered with Police Station Gharinda, District Amritsar.

Briefly stated the facts of the case as per prosecution story are that on 31.10.2017, a police party headed by SI Sukhdev Singh, Incharge police post, Khasa, P.S. Gharinda, Amritsar (Rural) had apprehended the accused who on seeing the police party had tried to run away and tried to throw something after taking out the same from his pocket and it was found that those were 65 loose intoxicating tablets.

The accused was arrested. Formal F.I.R. was registered. He had moved an application for regular bail which was dismissed by Judge, Special Court, Amritsar vide order dated 4.12.2017. As such he has approached this Court craving for grant for similar relief. Such request is being opposed by the State counsel.

I have heard learned counsel for the petitioner and learned State

counsel besides going through the record.

Learned counsel for the petitioner has contended that recovery involved amounts to non commercial quantity and report from FSL has not been received so far, therefore, he be granted regular bail.

Learned State counsel on the other hand contends that report from Forensic Science Laboratory, Punjab has since been received, the accused is a habitual offender and he is involved inasmuch as ten other cases, the details of which are given in para no. 4 of the written reply so filed. Therefore, there is reasonable chance of his absconding and trying to temper with prosecution evidence, if granted regular bail.

After hearing the rival contentions, I find that the petitioner is said to be involved in ten other criminal cases. Though he is shown to be acquitted in six cases, majority of them are under the Excise Act but then he is involved in two more cases under the NDPS Act which goes to show that he is a habitual offender engaged in drug trafficking, if granted bail, there is every possibility of his indulging in drug peddling posing a serious threat to the society.

The apprehension of learned State counsel that there are reasonable chances of his absconding and trying to tamper with prosecution evidence, if so granted bail cannot be brushed aside lightly. Therefore, finding no merit in the petition, the same stands dismissed.

(H.S. MADAAN)
JUDGE

March 26, 2018

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No