

CRM-M-5340-2019

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

CRM-M-5340-2019

Date of Decision:15.03.2019

Dharampal Singh

... Petitioner

Versus

Narcotics Control Bureau, Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Ms. Sharmila Sharma, Advocate,
for the respondent.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case Crime No.29 dated 17.07.2018, under Sections 8, 15, 29, 60 and 61 of the NPDS Act, 1985, registered by Narcotics Control Bureau, Chandigarh Zonal Unit, Chandigarh.

Notice of motion was issued. Learned counsel for the respondent appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned counsel for the respondent and gone through the record.

From the record, I find that as per the prosecution version, a secret information was received by the investigating officer that one person, namely, Manpreet Singh has brought poppy husk in vehicle bearing registration No.HR 45-C-3213 and that on 17.07.2018, at about 2.30 P.M., he would be coming at Sector 26, Sabzi Mandi, Chandigarh

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and he could be apprehended. On this information, a team was constituted and on 17.07.2018, at about 2 O' Clock, members of the raiding team reached at Transport Chowk, Chandigarh where ordinarily, the trucks of Sabzi Mandi were passed. At about 3.00 P.M., the members of raiding party had seen a truck coming from the side of Tribune Chowk and found it to be the same as mentioned in the secret information. They gave a signal to stop it. Beside the driver, there were two other persons sitting in it, who disclosed their names as Gurjot Singh and Neeraj. The co-accused made the statements that 12 bags of poppy husk were to be supplied to the present petitioner.

Learned counsel for the respondent argued that the disclosure statements of the accused have been recorded under Section 67 of the NDPS Act, 1985. The call details and other evidence etc. have also been collected against the present petitioner, which have already been given to the trial Court in a sealed cover.

Keeping in view the heavy recovery of contraband effected in the present case which falls in commercial quantity and in view of the fact that there are serious allegations against the present petitioner, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

15.03.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No