

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

(209)

CRM-M-61691-2018
Date of Decision: 12.04.2019

JOGINDER MANN

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

&

CRM-M-6436-2019
Date of Decision: 12.04.2019

RAJ KUMAR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Dhawan, Advocate
for the petitioner in CRM-M-61691-2018.

Ms. Satwinder Kaur, Advocate
for the petitioner in CRM-M-6436-2019.

Mr. Harsimar Singh Sitta, AAG, Punjab
assisted by ASI-Daljit Singh.

MANOJ BAJAJ, J.

Petitioner(s) Joginder Mann and Raj Kumar have filed this
petition seeking regular bail in case FIR No.115 dated 11.06.2017
(Annexure P-1), under Sections 15 of the NDPS Act, Police Station
Maqsudan, District Jalandhar.

As per the prosecution case acting upon a secret information

a truck bearing no. JK-02-AQ-9185 was intercepted, which was being followed by Honda City Car bearing No. CH03-W-8116 and driven by the petitioner along with the co-accused. The police after completion of formalities searched the vehicles and recovered five plastic bags, of poppy husk from the car and 12 bags of poppy husk from the truck, each weighing 19 kgs.

Learned counsel for the petitioners contends that the petitioners have been falsely implicated as no recovery was effected from the car in question. He has invited the attention of the Court to the alleged press conference/news whereby Sh. Randhir Singh, Senior Superintendent of Police revealed the information to the media about recovery of contraband from the truck. As per this news item the petitioners had come in the car to take the delivery of the alleged contraband. Learned counsel for the petitioner has further referred to the evidence of PW2-ASI Balwinder Singh wherein in his cross-examination he has admitted Ex-DA i.e., the press conference conducted by the Senior Police Officials. According to him the petitioners deserve the concession of regular bail.

Learned State counsel assisted by ASI-Daljit Singh on the other hand opposed the prayer for grant of regular bail. According to him the recovery effected is commercial in quantity and the evidence by prosecution is yet to be adduced. According to him it will not be safe to rely upon the statement of ASI-Balwinder Singh at this stage as the other officials of the recovery team are yet to be examined.

The rival contentions of both the counsels have been heard.

At this stage, this Court is of the opinion that no importance can be attached to the alleged press conference which was held by Senior

Superintendent of Police namely Randhir Singh. It was not in dispute that the officer who released this information to the media was not the member of the recovery team of the Police. At best, the information released by Senior Superintendent of Police to print-media is meant for information for public and that too about the prompt-action by the police, to curb the menace of drugs.

In view of the above no ground is made out for grant of regular bail to the petitioner(s).

Both the petitions are dismissed.

A photocopy of this order be placed on the files of other connected cases.

12.04.2019
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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No