

CRM-M-18724 of 2019 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18724 of 2019 (O&M)

Date of Decision :29.10.2019

Harwinder Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present : Mr. S.K.Passi, Advocate for the petitioner

Mr. S.P.S.Tinna, Additional Advocate General, Punjab

ANIL KSHETARPAL, J.(ORAL)

This is second bail petition for grant of regular bail in FIR No. 54 dated 4.7.2018 registered under Sections 21 and 22 of NDPS Act at Police Station Raja Sansi, District Amritsar Rural, Punjab. First petition was dismissed as withdrawn on 1.2.2019.

As per the case of the prosecution, 20,300 intoxicating tablets were allegedly recovered from the conscious possession of the petitioner.

Learned counsel for the petitioner submits that the communication sent to the police is after the FIR was registered as the FIR number has been mentioned therein. He further submits that consent memo Annexure P-2 is also not in accordance with law.

The arguments of the learned counsel for the petitioner can be better appreciated by the Trial Court at the time of trial. While hearing bail petition the Court is to see as to whether petitioner deserves the concession

of bail or not. Alleged recovery from the petitioner is of commercial quantity. Section 37 of the NDPS Act specifically bars the grant of bail in such cases. Hence, no ground to grant concession of regular bail is made out.

Dismissed.

(ANIL KSHETARPAL)
JUDGE

29.10.2019
rekha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No