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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46859-2019

Date of Decision: 03.12.2019

Hardeep Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sumeet Puri, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in a case FIR No.34 dated 10.02.2019, under Section 22 NDPS Act, 1985, registered at Police Station Lehra, District Sangrur. He is in custody since his arrest on 10.02.2019.

As per the case of the prosecution on 10.02.2019, police officials were present at Jhakal Kainchian, Lehra, where they received a secret information that Jagjit Singh @ Kalu brought intoxicating tablets and vials and got the same sold through his brother Hardeep Singh @ Bhupa. Acting upon the same, Hardeep Singh @ Bhupa Singh was nabbed and 94 vials of ONREX containing intoxicating syrup and 10,000 intoxicating tablets containing Tramadol Hydrochloride along with ₹50,000/- cash were recovered from him.

Learned counsel for the petitioner contends that the investigation of the case is complete and co-accused Jagjit Singh @ Kalu has already been extended the concession of anticipatory bail by this Court

vide order dated 22.04.2019. He submits that further custody of the petitioner may not be justified as the trial is likely to consume some time.

On the other hand, learned State counsel on instructions from ASI Amarjit Singh has opposed the prayer. He submits that the co-accused of the petitioner was not arrested on the spot and the entire recovery of contraband was effected from the petitioner, which falls in commercial quantity. He submits that a sum of ₹50,000/- was also recovered from him and the trial is at the initial stage.

Considering the nature of contraband recovered from the petitioner and the stage of the trial, no case is made out to grant the concession of regular bail to the petitioner.

The petition is dismissed.

03.12.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No