

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

CRM-M-2103-2020 (O&M)

Date of decision: 06.03.2020

Jaibir

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. G.S. Kaura, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner Jaibir, aged about 46 years, an accused in FIR No.144 dated 05.04.2019, for offences under Sections 15-C and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered with Police Station Tosham, District Bhiwani.

Briefly stated facts of the case as per prosecution version are that co-accused of the petitioner, namely Pardeep while driving truck bearing registration No.HR55N-5127 was apprehended by police party from PS Tosham and he was found carrying poppy straw weighing 180 kgs on 05.04.2019. Pardeep was interrogated, during the course of which, he suffered a disclosure statement that petitioner had given him Rs.5 lacs for purchase of the poppy straw thereby financing

the contraband. Accused Jaivir was accordingly nominated and he was arrested in this case on 22.10.2019.

He had filed an application for regular bail before Court of Sessions at Bhiwani, however, that petition was dismissed by Addl. Sessions Judge, Bhiwani, vide order dated 21.12.2019.

Feeling aggrieved, the petitioner has approached this Court, craving for grant of the similar relief, which request is being opposed by State counsel.

I have heard learned counsel for the parties besides going through the record.

This Court cannot lost sight of the fact that drug addiction amongst people of the region especially young ones is increasing alarmingly with the result the health and physical well being of those people are getting affected adversely. A big social problem has already been arisen. The reasons for increased drug addiction may be many but one of them is easy supply of drugs. People initially take two drugs just to get kick out of it but with passage of time, they become addicts. The drug peddlers for the sake of easy money are forcing innocent people to consumption of drugs. Such type of persons who thrive on the basis of drug trafficking and investing money therein do not deserve any leniency, rather, they need to be dealt with sternly, so that the increasing habit of drug addiction is checked and it does not go out of control. The accused comes out to be a habitual criminal. He is stated to be involved in three other criminal cases. If he is granted regular

bail, there is every chance of his absconding, tampering with the prosecution witnesses by giving threat/inducement to them and taking to path of crime again. As stated by State counsel, trial against the petitioner is going on and out of 20 PWs, 07 PWs have already been examined and the next date of hearing fixed is 26.03.2020. The guilt of the accused shall be determined during the trial. If he is found to be guilty, he will be convicted and if not so, then he would earn acquittal but as the things stand, no case for grant of regular bail is made out. His request in that regard stands declined and the petition is dismissed accordingly. However, a direction is issued to the trial Court to conclude the trial expeditiously preferably within a period of six months from the date of receipt of copy of order there. The trial Court is further directed to give reasons in each interim order when the case is to be adjourned to some other date.

06.03.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No