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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5891-2020

Date of decision-18.02.2020

Sanjay @ Laddu

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Raj Kumar Gupta, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Sanjay @ Laddu has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.11 dated 24.02.2019 under Sections 15, 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Balachaur, District SBS Nagar.

As per the prosecution case, on 24.02.2019, when the Police party was on patrol duty and were going towards Bhaddi, from Balachaur, one truck (Tata-407) bearing No.PB-11-CQ-0286 was parked near T-point Raju Majra and no one was present in the said truck. When the search was conducted, 24 polythene bags containing 5 quintal, 33 kilo and 300 grams of poppy husk were recovered from the said vehicle.

Learned counsel for the petitioner contends that the petitioner

was indicted on the basis of the statement suffered by Hari Om, owner of the vehicle where-from the alleged contraband was recovered. He submits that the investigation of the case is complete and therefore, he deserves the concession of regular bail. He has further invited the attention of the Court to Annexures P-2 and P-5 in respect of co-accused who have already been extended the concession of regular bail by this Court.

While opposing the prayer, learned State counsel who is assisted by ASI Jarnail Singh contends that the petitioner is involved in another case of similar nature where 5 k.gs opium was recovered from him. She submits that the owner of the vehicle, Hari Om was arrested on 18.09.2019 and on his disclosure statement, petitioner was arrested on 21.09.2019. It is pointed out that on the disclosure statement of Hari Om, 20 kgs of poppy husk was recovered from the brick kiln. She has contended that the case of the petitioner is not at par with the others and therefore, the petitioner cannot claim the said benefit.

After hearing learned counsel for the parties and considering the nature and quantity of the contraband recovered in this case, this Court does not find it to be a fit case for grant of regular bail to the petitioner at this stage.

Consequently, petition is dismissed.

18.02.2020

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**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No