

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

CRM-M-7805-2020 (O&M)

Date of decision-06.08.2020

Gurpreet Singh @ Ravi

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.0142 dated 04.11.2018 under Section 22 and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Doraha, District Ludhiana. Petitioner is in custody since his arrest on 04.11.2018.

The FIR was registered on the basis of secret information and the allegations as noticed by Ld.Judge, Special Court, Ludhiana vide order dated 07.01.2020 are as under:-

“The allegations levelled against the applicant are that the applicant along with his accomplices was found possessing 2700 intoxicant tablets of Lomotil 1200 intoxicant tablets of Lomotil and 1200 intoxicant tablets of Lomotil containing same batch number and as per report of RTFSL said tablets were containing salt Diphenoxylate Hydrochloride and therefore, recovery of

said tablets falls into commercial quantity.”

Learned counsel for the petitioner contends that the petitioner was arrested at the time when the alleged recovery was effected and the prosecution has examined only three witnesses so far out of total 12 witnesses. According to him, the trial is not progressing effectively, therefore, considering the custodial period of the petitioner, he be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Kamaljit Singh has opposed the prayer on the ground that the recovered contraband falls in the commercial quantity. He has produced the custody certificate dated 06.08.2020, filed by way of an affidavit of Ashu Bhatti, PPS, Deputy Superintendent, Central Prison, Ludhiana which indicates that besides involvement in the present case, the petitioner is also involved in other cases of the similar nature. As per custody certificate two more cases for offences against human body, are also pending against him.

After hearing learned counsel for the parties and considering the nature and quantity of the contraband (commercial quantity) recovered from the petitioner, this Court does not find any reason to extend the concession of regular bail to the petitioner at this stage.

Petition is dismissed.

06.08.2020

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No