

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

CRM-M No.8268 of 2020

Date of Decision: 28.05.2020

Jaskaran Singh @ Jassu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

Through the present petition filed under Section 439 of the Code of Criminal Procedure, the petitioner seeks regular bail in FIR No.0443, dated 14.12.2019, registered under Sections 22, 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Mansa, District Mansa.

2. Relies upon the decision of this Court in **Lakhwinder Singh alias Lakha vs. State of Punjab** (CRM-M No.8026 of 2020) and of Co-ordinate Benches in **Binder Kaur alias Goga vs. State of Punjab** (CRM-M No.4584 of 2020) and **Mandir Singh vs. State of Punjab** (CRM-M No.8035 of 2019) to contend that a person engaged in the trade of contraband would never be expected to carry the same in any transparent bag which would be visible to the naked eyes.

3. *Per contra*, the bail application is opposed on behalf of the State by contending that the recovery of commercial quantity of contraband was made from the car of the petitioner himself.

4. Be that as it may, without prejudice to the merits of the submission raised on behalf of the petitioner, but considering that he is admittedly not involved in any other case under the NDPS Act, and also considering that he has remained in detention well above 05 months since 14.12.2019, at this stage, the petitioner may be released on regular bail to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned subject to imposition of appropriate terms and conditions.

5. The present petition stands disposed off.

May 28, 2020
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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No