

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

Criminal Misc. No. M-13172 of 2020(O&M)
Date of Decision: 10.06.2020

Amrik Singh

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amarpreet Singh, Advocate,
for the petitioner.

Mr. Deepak Sabharwal, Addl. A.G. Haryana

ANIL KSHETARPAL, J.

Present petition has been filed by the petitioner, namely, Amrik Singh, under Section 439 Cr.P.C. for grant of regular bail in FIR No. 0289, dated 21.11.2019, registered under Section 22 of the NDPS Act, 1985, at Police Station Kalanwali, District Sirsa.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Sirsa, in paragraph 2 of the order, which is extracted as under:-

“2. As per FIR on 21.11.2019 during patrolling duty by police officials in the area of P.S. Kalanwali, accused Amrik Singh (petitioner), Baljinder Singh and Gurprit Singh were apprehended in possession of 2400 Npx Tamadol Hydrochloride Tablets of 100 mg. After usual formalities at spot, the present case was registered and the accused were arrested. During further interrogation,

accused disclosed that the recovered tablets were supplied to them by Amritpal R/of village Sadewla. On completion of usual formalities at spot, the present case was registered and the accused/petitioner was arrested in accordance with law. Petitioner is in custody since 21.11.2019. Hence, the present petition.

Hearing of the case was held through video conferencing on account of lock-down.

Learned counsel for the petitioner contends that the petitioner was merely driving the motorcycle and was not in conscious possession of narcotics. He further submits that the petitioner is in custody for approximately 6½ months.

On the other hand, learned counsel for the State has submitted that the report of the Forensic Science Laboratory has been received, according to which the intoxicating tablets contained prohibited substance. The quantity recovered falls in commercial category. There is another case pending against the petitioner for alleged recovery of 600 tablets of tramadol salt i.e. FIR No.193 of 2018.

Keeping in view the aforesaid facts and the provisions of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, this Court does not find it to be a fit case for grant of a regular bail.

Dismissed.

(ANIL KSHETARPAL)
JUDGE

June 10, 2020

“nt”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No