

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17541-2020

Date of Decision: 22.07.2020

Sunil Kumar Luthra

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. K. Arun Singh, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Sunil Kumar Luthra, in case FIR No. 83 dated 28.08.2019 registered under Sections 22, 27 and 29 of the NDPS Act (Section 27-A of the NDPS Act, added later on) at Police Station Special Task Force, District SAS Nagar, Mohali (STF Wing).

According to prosecution, on 28.08.2019 on the basis of secret information, the police conducted a raid. Co-accused of the petitioner, namely; Narinderpal Singh @ Vicky and his brother Chandan Parkash @ Lucky, were apprehended at the spot along with large quantity of prohibited drugs. On their interrogation, they disclosed the complicity of one Ram Sanjivan Singh, who on interrogation further named the petitioner as a facilitator to supply the contraband from Delhi to Punjab.

Learned counsel *inter alia* contends that petitioner was Branch Manager, DTDC Franchisee at Karol Bagh, Delhi, whereas contraband was send from Darya Ganj Branch, New Delhi. Petitioner has been booked in the instant case on the disclosure statement of co-accused, which is a very weak type of evidence. He was not named in the FIR. No recovery has been effected from him.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering the overall facts and circumstances of the case and keeping in view heavy recovery of prohibited drugs from co-accused of petitioner itself shows his criminal ilk that he is a part and parcel of drug Mafia, which dis-entitles him for grant of regular bail. More so, drug trafficking in this Northern region of the country has increased manifolds in the recent past and, thus, such type of crime has to be dealt with severe hands.

In view of the above, the instant petition stands dismissed.

July 22, 2020
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(RAMENDRA JAIN)
JUDGE

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