

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

Date of Decision: November 09, 2020

1. **CRM-M-19336-2020**

Gurjant Singh @ Jand

...Petitioner

Versus

State of Punjab

...Respondent

2. **CRM-M-28096-2020**

Nachhattar Singh @ Kali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioners have filed these petitions separately under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.239 dated 15.11.2017, under Sections 15, 25 and 29 N.D.P.S.Act, 1985, registered at Police Station, Baghapurana, District Moga.

As per the prosecution, the police party received an information that Harjit Singh @ Jeeta was bringing poppy-husk in truck bearing No.HR-62-7111, which is being escorted by another vehicle bearing No.PB-08-BM-7374 (Scorpio) and occupied by accused Gurjant Singh @ Jand, his brother Kali, Jangir Singh @ Jeera, Jassian, Surjit Singh @ Sonu and Rachpal

Singh. Acting upon the said information, 1180 kilograms of poppy-husk was recovered from the truck.

Learned counsel for the petitioners contends that as per prosecution, the petitioners were not travelling in the truck and the contraband was recovered from the truck and driver Harjit Singh was arrested on the spot. He contends that the petitioners were travelling in some other vehicle and have been falsely implicated in this case. He has argued that the case of the petitioners is comparatively on weak footings and, therefore, their further custody may not be necessary. He prays for grant of bail.

On the other hand, the prayer is opposed by the learned State counsel on the ground that the petitioners had actively participated in the crime as they were travelling in a separate vehicle in order to navigate the truck driven by co-accused Harjit Singh. He has further produced the custody certificates of both the petitioners and highlighted that these accused persons are involved in other similar cases as well.

Considering the above background, quantity and nature of the contraband, this Court does not find it to be a fit case to release the petitioners on regular bail, at this stage.

Dismissed.

November 09, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No