

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

**CRM-M-21872-2020 (O&M)
Date of Decision : 07.08.2020**

Jaswant Kumar @ Billa Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Gaurav Sharma, Advocate
for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing due to the outbreak of Pandemic COVID-19.

Through this second petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.158 dated 11.07.2017, registered under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Mehrban, Ludhiana.

According to prosecution, on 10.07.2017, petitioner was apprehended with conscious possession of 01 kg heroin, without any permit or licence.

Learned counsel *inter alia* contends that co-accused of the petitioner has been granted bail. Therefore, treating the case of petitioner on the same parity, as that of his above-named co-accused, he may be granted bail. Petitioner is in custody since

23.07.2017. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposing the grant of regular bail to petitioner, submitted that in the year 1996, petitioner was booked in a case under NDPS Act for having 44 kg of heroin in his possession in which he has been convicted for 12 years. Thereafter in the year 2017, he was apprehended with conscious possession of 01 Kg of poppy husk without any permit or licence. This is the third case against the petitioner. Registration of three cases under NDPS Act and recovery of heavy quantity of heroin from him proves that he is a hard core habitual offender and supplier of contraband. The trial is at the fag end which may conclude shortly.

Considering above fact of registration of three cases under NDPS Act against the petitioner and recovery of heavy quantity of contraband from him, no ground is made out to entertain this second petition for grant of regular bail to him.

Dismissed.

(RAMENDRA JAIN)
JUDGE

07.08.2020
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No