

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRM No. M-25326-2020

Date of Decision : 08.10.2020

SUKHWINDER SINGH @ SUKHA

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Maninder Arora, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 61 dated 17.5.2020, under Sections 22/61/85 of the NDPS Act, registered at Police Station Samana, District Patiala.

Learned counsel for the petitioner submits that 250 intoxicating tablets were recovered from the petitioner and 810 intoxicating tablets were recovered from the co-accused, Satnam Singh. Learned counsel for the petitioner further submits that quantity of the banned substance recovered from the petitioner is not of commercial quantity and, therefore, the petitioner, who is already behind bars for the last more than four months, be granted the benefit of regular bail.

Learned State counsel submits that though, the quantity

recovered from the petitioner in respect of this FIR is not of commercial in nature but the petitioner is a habitual offender as another FIR being FIR No. 203 of 2019, under Section 15 of the NDPS Act is also pending against the petitioner and, therefore, the petitioner be not granted the benefit of bail as being prayed for in the present petition.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Though, 250 intoxicating tablets have been recovered from the petitioner but the petitioner is a habitual offender. Petitioner was granted bail in respect of FIR No. 203 of 2019, which was also registered under the NDPS Act and the petitioner has again indulged in the similar activities while on bail and the present FIR has been registered against him. This shows that the petitioner has a scant respect for the law and though, he was granted the benefit of bail by this Court on an earlier occasion, after the grant of bail, the petitioner has again indulged in the same activities violating the provisions of the NDPS Act.

That being so, as petitioner is habitual in nature of committing the offences and has rather violated the terms and conditions of the earlier bail granted to him in respect of FIR No. 203 of 2019, no ground is made out to grant the petitioner the benefit of bail.

Dismissed.

October 08, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No