

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

CRM-M-25823-2020(O&M)

Date of decision: 23.09.2020

MUKTAIR ALIAS TARA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms.Anupam Bhanot, Advocate for the petitioner

Mr. N.K.Banka, DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR no.48, dated 27.3.2019, registered under Section 21,61, 85 of the NDPS Act, 1985, at Police Station Mehta, District Amritsar.

In the caption of the petition, it has been notified that this is the first petition for grant of bail whereas, as per the office note, the petitioner has previously filed two previous petitions for bail i.e CRM-M-48164-2019 and CRM-M-4516-2020, which have been dismissed. As per the case of the prosecution, the petitioner was apprehended with 5grams of Heroin (contraband), however on his disclosure statement, additional recovery of 1 kg and 160 grams Heroin was made.

Learned counsel for the petitioner has contended that the petitioner is ready to furnish heavy surety and therefore, he should be released on bail.

This Court has considered the submissions, however, finds no substance therein. In India, the bail is not granted only on the ground that the petitioner is ready to furnish heavy surety/security. As per Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, if the recovery is of commercial quantity, normally the bail should not be granted. The petitioner is involved in as many as four cases under the Narcotic Drugs and Psychotropic Substances Act, 1985. Hence, no ground to grant concession of bail to the petitioner is made out.

Dismissed.

23.09.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No