

**In the High Court of Punjab and Haryana, at Chandigarh**

**Criminal Misc. No. M- 27314 of 2020**

**Date of Decision: 15.09. 2020**

Maharajudin alias Shahid

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. Naveen Batra, Advocate  
for the petitioners).

Ms. Samina Dhir, Deputy Advocate  
General, Punjab for the respondent.

**Anil Kshetarpal, J.**

The petitioner prays for grant of regular bail pending trial in a criminal case arising from FIR No. 151 dated 22.06.2020, registered under Section 15 of Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter referred to as “the 1985 Act”), at Police Station Tanda, District Hoshiarpur.

As per the case of the prosecution, 100 quintals of poppy husk was recovered packed in 40 bags placed underneath the 50 bags of garlic loaded in the truck.

Learned counsel for the petitioner contends that the petitioner cannot be said to be in the conscious possession of the contraband as he was merely working as a helper on the truck.

This Court has considered the submissions. The recovery of contraband in the present case to say the least is huge. At this stage, it would

case. However, keeping in view the provisions of Section 37 of the 1985 Act, this Court does not find it appropriate to grant the concession of regular bail to the petitioner. Hence, the present petition is dismissed.

**(Anil Kshetarpal)**  
**Judge**

**September 15, 2020**  
**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No