

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30092-2020 (O&M)

Date of Decision: 01.10.2020

GADDU SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Naveen Sheokand, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR
No. 129 dated 6.12.2019, under Section 21 of NDPS Act registered at Police
Station STF, Phase 4 Mohali.

Briefly, the FIR has been registered on the basis of the secret
information against the petitioner. As per the allegations of the prosecution,
1 Kg of heroin has been recovered from the possession of the petitioner.

It has been argued by learned counsel for the petitioner that the
petitioner is innocent and no other case has been registered against him.

On the contrary, learned State counsel has argued that quantity
of contraband recovered from the possession of the petitioner falls in the
category of commercial quantity. The contraband was being carried by the
petitioner in a bag.

In the instant case, one Kg of heroin has been recovered from

the possession of the petitioner which falls in the category of commercial quantity. In such circumstances, stringent provisions of section 37 of the NDPS Act come into play. There is nothing to suggest that petitioner has not committed the offence and is not likely to commit the offence while on bail.

In these circumstances, no justified ground is made out to extend the concession of bail to the petitioner.

Dismissed.

01.10.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No