

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30006-2020 (O&M)

Date of Decision:- 23.11.2020

Gourav Doomra

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok Khunger, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.75, dated 22.5.2020, Police Station City Jalalabad, District Fazilka, Punjab, under Sections 22, 25, 29 of NDPS Act.
2. It is the case of prosecution that a secret information was received by the police to the effect that Prince Pruthi and his brother Gaurav Pruthi were running a medical store and that they, in connivance with

Paramjit Singh indulged in sale of intoxicant tablets in an illegal manner. The information was further to the effect that Paramjit Singh, after purchasing the said intoxicant tablets was present at Village Jaba in order to further sell the intoxicant tablets illegally. Pursuant to receipt of aforesaid information the police raised barricades and apprehended 2 persons namely Gaurav Pruthi and Paramjit Singh from whose search 40000 tablets of 'Tramadol' were recovered. It is further the case of prosecution that during interrogation Gaurav Pruthi disclosed that more intoxicant tablets have been kept in Verna car bearing registration No.PB-61-C-8476 which was lying parked at their garage on Muktsar road, Jalalabad. The police, thereafter went to the said premises disclosed by Gaurav Pruthi where the aforesaid car was found parked and from which another 40000 tablets of 'CLOVIDOL (Tramadol)' were recovered. Since, upon inquiry the said car was found to be registered in the name of the petitioner, therefore, he was also nominated as an accused.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case solely on account of the fact that he happens to be brother-in-law of Prince Pruthi and Gaurav Pruthi and that in fact no recovery whatsoever was ever effected from him.
4. Opposing the petition, learned State counsel has submitted that since a huge quantity of contraband was recovered from the car which was found to be registered in the name of the petitioner, no case for grant of bail is made out. Learned State counsel has however, informed

that the petitioner as on date has been behind bars since the last about 6 months and that he is not involved in any other case.

5. Having regard to the facts and circumstances of the case and the fact that the accused was not found in possession of any contraband and is sought to be nominated on account of the fact that the contraband was found from the car which stands registered in his name and while also noticing that the petitioner has been behind bars since the last about 6 months and is not involved in any other case, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

November 23, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No