

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-39741 of 2020

Date of Decision: 07.12.2020

Ravi Kumar Jindal alias Pinki

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Aayush Arora, Advocate
for the petitioner(s).

Ms. Sunint Kaur, Assistant Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

This is third petition for grant of regular bail pending trial in a criminal case arising from FIR No. 164, dated 07.08.2019, registered under Section 22 of Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter referred to as “the 1985 Act”), at Police Station Mandi Gobindgarh, Tehsil and District Fatehgarh Sahib.

The second petition filed by the petitioner was dismissed, on 28.09.2020, vide Criminal Misc. No. M-12958 of 2020. The said order is extracted as under:-

“This is second petition for grant of regular bail pending trial in a criminal case arising from FIR No. 164 dated 07.08.2019, registered under Section 22 of Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter referred to as “the 1985 Act”), at Police Station Mandi Gobindgarh, Tehsil and District Fatehgarh Sahib.

As per the case of the prosecution, two persons including the petitioner were apprehended by the police with

1100 intoxicating tablets. From the petitioner herein, 800 intoxicating tablets were recovered whereas from a co-accused, 300 intoxicated tablets were alleged to have been recovered.

Learned counsel for the petitioner contends that the co-accused of the petitioner has been granted the concession of regular bail. He, hence, contends that on parity, the petitioner should also be granted regular bail.

Ms. Samina Dhir, Deputy Advocate General, Punjab has pointed out that recovery from the co-accused was not of commercial quantity, whereas the recovery effected from the petitioner is of commercial quantity. She has further submitted that the report from the Forensic Science Laboratory has been received, confirming the presence of prohibited substance.

Keeping in view the provisions of Section 37 of the 1985 Act, no ground for grant the concession of regular bail to the petitioner is made out. Hence, the present petition is dismissed”.

Learned counsel for the petitioner has failed to point out any change in the circumstances. Hence, the present petition is dismissed.

(Anil Kshetarpal)
Judge

December 07, 2020

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No