

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

CRM-M-39827-2020

Date of Decision: 07.12.2020

SANDEEP KUMAR @KAKA

.....Petitioner

V/s.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. Anuj Sood, Advocate, for the petitioner.

Mr. M.S. Nagra, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (Oral):

This is the third petition Under Section 439 of Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner, in a case FIR No.142 dated 17.07.2019, registered under sections 22 and 29 of NDPS Act, 1985 and under Sections 25, 54, 59 of the Arms Act, 1959, at Police Station Division No.7 District Ludhiana, Punjab.

Learned counsel for the petitioner has failed to satisfy this Court qua any change in circumstances subsequent to the dismissal of the previous petition under Section 439 Cr.P.C. on 23.06.2020. Moreover, the alleged recovery of 260 grams of narcotics powder from the petitioner falls within the commercial quantity coupled with the fact that a pistol and a bullet too, were recovered from the possession of the petitioner, which in the facts and circumstances of the case does not entitle him to concession of regular bail.

In view thereof, the present petition is hereby dismissed. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

December 7, 2020

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned

:

Yes /No.

Whether Reportable

:

Yes/No