

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

CRM-M-43304-2020 (O&M)

Date of Decision:- 22.12.2020

Rajbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parvinder Singh Virk, Advocate, for the petitioner.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

The petitioner, who is arrayed as an accused in FIR No.62, dated 9.7.2019, Police Station Zira, District Ferozepur, under Sections 21/22/29/61/85 of NDPS Act, wherein it is alleged that 1120 tablets of Fratadol (Tramadol) as well as 10 grams of 'Heroin' were recovered, had been released by the trial Court on interim bail on 13.08.2019, as the report of FSL was awaited. However, subsequently upon receipt of FSL report, the prosecution presented a charge-sheet against him. However, the petitioner chose not to appear before the trial Court thereafter and on account of which the trial Court cancelled his interim bail and issued non-bailable warrants for his arrest vide order dated 17.11.2020.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is neither proper compliance of Section 50 of the NDPS Act nor of Section 42 of the Act and that as such he deserves the concession of bail. It has further been submitted that the petitioner is the only male member in the family and on account of his absence, his family would not even be able to support itself.

I have considered the aforesaid submissions addressed before this Court.

The conduct of the petitioner, who was found in possession of a 'commercial quantity' of contraband can hardly be appreciated inasmuch as despite having been granted concession of interim bail by the trial Court, he chose to absent himself leading to cancellation of his bail. As such, this Court does not find any ground for grant of anticipatory bail.

The petition is sans merit and is hereby dismissed.

December 22, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No