

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: September 01, 2021

1. CRM-M-1995-2021

Kuldeep Singh @ Shanty

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-11002-2021

Karnail Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jitender Singh Dadwal, Advocate,
for the petitioner in CRM-M-1995-2021.

Mr.Kuldip Singh, Advocate,
for the petitioner in CRM-M-11002-2021.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioners have filed separate petitions under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.105 dated 29.06.2020, under Sections 22 and 25 N.D.P.S. Act, 1985, registered at Police Station, Khanna, Police District Khanna, District Ludhiana, who are in custody since their arrest on 29.06.2020.

The above FIR was registered with the allegations that on 29.06.2020, the police party apprehended the petitioners on suspicion and after following the proper procedure, the polythene bag, which was thrown

by accused Karnail Singh on the bank of the road, was checked and 3920 intoxicating tablets of Alprazolam were recovered.

Learned counsel appearing on behalf of petitioner-Kuldeep Singh @ Shanty has argued that the contraband was held by Karnail Singh and Kuldeep Singh was only driving the vehicle, therefore, it would be debatable if the conscious possession of the contraband was with petitioner Kuldeep Singh. He prays for bail.

Learned counsel appearing on behalf of accused Karnail Singh has argued that though the petitioner is involved in another case, but as the investigation of the case is complete, therefore, his further detention may not be necessary and prays for bail.

Learned State counsel, who is assisted by ASI Harpal Singh, while opposing the prayer of the petitioners, has contended that the quantity recovered from the petitioners falls within the ambit of commercial quantity. He has produced the custody certificate of accused Karnail Singh by way of affidavit of Satnam Singh, PPS, Additional Superintendent, Central Jail, Ludhiana to contend that he is involved in another case of similar nature.

Considering the above background, nature and quantity of contraband recovered and the fact that the trial is yet to commence, no case is made out for grant of regular bail to the petitioners.

Consequently, the petitions are dismissed.

September 01, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No