

CRM-M-4328-2021

Date of Decision: 05.02.2021

RAJA SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. K.S.Brar, Advocate for the petitioner.

Mr. Sandeep Vermani, Addl. A.G. Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

Petitioner has prayed for grant of regular bail in case FIR No. 36 dated 20.2.2020 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Nathana, District Bathinda.

Briefly, the allegations against the petitioner are with regard to the recovery of 740 tablets of Clovidol-100 SR.

It has been contended by learned counsel for the petitioner that petitioner is in custody for the last about one year and it is improbable that he will be carrying the contraband in a transparent bag.

On the contrary, learned State counsel has pointed out that the quantity of contraband recovered from the conscious possession of the petitioner falls in the category of commercial quantity as the total weight of recovered tablets came out to be 302.77 grams and furthermore, the petitioner is also involved in three other cases (two under NDPS Act).

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In the case in hand, the quantity of contraband recovered from the conscious possession of the petitioner falls in the category of commercial quantity, and as such, stringent provisions of section 37 of NDPS Act come into play. There is nothing to suggest that petitioner has not committed the offence and is not likely to commit the offence, if extended the concession of bail. Furthermore, the petitioner is also involved in two other cases under NDPS Act.

Keeping in view the totality of circumstances, no justified ground is made out to extend the concession of regular bail to the petitioner.

Dismissed.

05.02.2021

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No