

212

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

CRM-M-10508-2021

Date of decision: March 15, 2021

Gagandeep Singh @ Gaggi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG Punjab.

MAHABIR SINGH SINDHU, J

Third petition has been filed under Section 439 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner in FIR No.26 dated 25.03.2018, under Sections 15 & 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Mehna, District Moga.

As per prosecution case, on 25.03.2018, in the area of P.S. Mehna, upon a *nakabandi*, police apprehended petitioner along with his co-accused, namely Gurmukh Singh and they were found in conscious possession of 20 bags of Poppy-Husk (each bag containing 20 Kg. of Poppy-Husk) without any valid licence.

Contends that petitioner is in custody since 25.03.2018 and charges have already been framed. Also contends that recovery of the contraband was not effected from his conscious possession and merely being the owner of the truck, he has been falsely implicated in this case.

On the other hand, learned State counsel opposed the prayer of the petitioner and submitted that recovery of the contraband is huge, thus, he does not deserve the concession of bail pending trial.

Heard both sides and perused the paper-book.

Petitioner along with his co-accused was found in conscious possession of 20 bags of poppy-husk, which is commercial in nature; therefore, in view of the magnitude of recovery and charge having been framed, this Court is not inclined to grant bail pending trial to petitioner.

Petition stands dismissed, accordingly.

However, keeping in view the custody of the petitioner, learned trial Court is requested to conclude the trial on or before 31.05.2021.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

March 15, 2021

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No