

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21924-2021

Date of Decision: 20.07.2021

Sonu Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Atul Kaushik, Advocate for the petitioner.

Mr. Randhir Singh Thind, Deputy Advocate General, Haryana.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of Code of Criminal Procedure for the grant of concession of regular bail to the petitioner in FIR No.0192 dated 04.10.2019, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kotwali Bathinda, District Bathinda.

As per the FIR two persons were apprehended namely, Sonu Singh (petitioner) and Parminder Singh alias Mittu and on the spot there was recovery of 11800 tablets of Clovidol-100-SR and 350 tablet of Alprazolam-0.5 which was recovered from them each which falls under the commercial quantity.

The learned counsel for the petitioner has submitted that he is in custody since 04.10.2019 and the case is at the prosecution evidence stage.

On the other hand, Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab has submitted that it is a case of huge recovery of contraband from the petitioner and the other co-accused and the present application is barred by Section 37 of NDPS Act. There is no ground available with the petitioner for making a departure from the said bar, since the recovery was of a commercial quantity.

I have heard the learned counsel for the parties.

The alleged recovery is of huge commercial quantity and the petitioner was allegedly apprehended on the spot and recovery was effected. There is no ground available to the petitioner to make a departure from the bar contained under Section 37 of the NDPS Act and therefore, he would not be entitled for the grant of regular bail.

In view of the above, this Court does not deem it fit and appropriate to grant regular bail to the petitioner.

Consequently, the present petition is dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

20.07.2021

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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