

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.25689 of 2021
Date of Decision: July 16, 2021

Amarjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S.Thakur, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.196 dated 15.07.2020, under Section 15 N.D.P.S.Act, 1985, registered at Police Station, Shahkot, District Jalandhar Rural. The petitioner is in custody since his arrest on 15.07.2020.

As per the FIR, on 15.07.2020, 125 kgs. of poppy husk was recovered from the car, which was being driven by co-accused Malkiat Singh @ Kaka and Amarjit Singh was also with him in the car.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case, and the car carrying the alleged contraband belongs to co-accused, and the petitioner had taken lift for the purpose of household work. He has further submitted that the

petitioner is not involved in any other case of similar nature. According to him, the investigation of the case is complete, therefore, further custody of the petitioner may not be necessary. He prays for bail.

On the other hand, learned State counsel assisted by ASI Salinder Singh has opposed the bail application on the ground that quantity recovered falls within the ambit of commercial quantity and the petitioner was arrested on the spot and, therefore, he is not entitled to bail.

After hearing learned counsel for the parties, considering the above background, more particularly the nature and quantity of the contraband and the fact that the petitioner was travelling with his co-accused in the same vehicle, therefore, at this stage, it would not be appropriate to accept the stand of the petitioner that he had taken lift from his co-accused. Since the trial is at the initial stage, this court does not find it to be a fit case for grant of concession of regular bail to the petitioner at this stage.

Dismissed.

July 16, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No