

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM No. M-26979 of 2021
Date of Decision : 22.07.2021

Kamaljit Kumar alias Harsh

...Petitioner

Versus

State of Punjab

...Respondent

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ritesh Pandey, Advocate for the petitioner.

Ms. Jaspreet Kaur, Assistant Advocate General, Punjab.
(keeping in view advance copy given)

Harsimran Singh Sethi J. (Oral)

Custody certificate of the petitioner has been filed in Court today. The same is taken on record.

Present is the 3rd petition for the grant of bail filed by the petitioner before this Court. Two similar requests of the petitioner for the grant of bail have already been rejected by the trial Court. This Court, vide detailed order dated 02.11.2020 (Annexure P-3) had dismissed the bail application of the petitioner.

On being asked as to what are the new grounds, which prompted the petitioner to file the present petition, learned counsel for the petitioner submits that the drugs recovered from the petitioner were duly

purchased with bills, which could not be brought to the notice of the Court.

The ground which is being raised by the petitioner for the grant of bail is of no consequence for the reason that as per the instructions, which have been issued by the Government of Punjab dated 29.07.2019, a retailer could not keep more than 500 tablets of a particular drug and the wholesaler could keep only 5000 tablets of the said drug. Admittedly, the petitioner was retaining a quantity of drug which was much beyond the permissible limit fixed by the State Government and that too without any explanation.

In fact, the conduct of the petitioner is such that after his bail application was dismissed by by this Court by a detailed order on 02.11.2020 (Annexure P-3), petitioner again filed an application for bail within a period of three weeks before the trial Court, which was also dismissed on 26.11.2020 (Annexure P-5) and the petitioner has filed this petition now after a period of 8 months. In fact, repeated bail applications have been filed by the petitioner without there being any valid ground for the grant of bail and that too after the bail petition of the petitioner was dismissed on merits by a detailed order dated 02.11.2020 (Annexure P-3). No ground is made out to grant the petitioner the benefit of regular bail. Hence, the same is dismissed.

July 22, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No