

234 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(I) CRM-M-28069-2021
Date of Decision: 21.12.2021

Arshad Petitioner
Versus

State of Punjab Respondent

(II) CRM-M-18612-2021

Mohammad Imran Petitioner
Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Chandra Shekhar Singh, Advocate,
for the petitioner (in CRM-M-28069-2021).
Mr. Rajnish Kumar Shelly, Advocate,
for the petitioner (in CRM-M-18612-2021).
Mr. Kirat Singh, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

These are two separate petitions filed on behalf of the petitioners, namely Arshad and Mohammad Imran, for grant of regular bail under Section 439 Cr.P.C. in case FIR No.145, dated 04.12.2020, under Sections 22 and 25 of the NDPS Act (in CRM-M-28069-2021) and Sections 22/25/61/85 of the NDPS Act (in CRM-M-18612-2021), registered at Police Station Doraha (Khanna), District Ludhiana.

2. Contraband in the form of 5400 tablets of Alprazolam, 6600 tablets of Alpranof-05, 2500 tablets of Tramadol, 30000 tablets of Clovidos 100 SR and 13200 tablets of Lomotil were allegedly recovered from the

dicky of a Verna Hyundai Car bearing Registration No.UK-07SZ-6333, which was being driven by the petitioner-Arshad and in which the other petitioner-Mohammad Imran and co-accused Farman were also travelling.

3. Submission of Ld. Counsel for the petitioner-Arshad is that he had only permitted his aforesaid vehicle to be used as a Taxi for carrying the other two accused persons along with their luggage from Saharanpur to Ludhiana and had no knowledge or inkling about the contents of the goods being carried by them.

4. This Court is of the opinion that the vehicle in question admittedly belongs to the petitioner-Arshad, who was driving the same, and there is nothing on record to substantiate his self-serving statement that he had permitted his vehicle to be used as a Taxi by the other two accused persons, when, in fact, the vehicle apparently was not even registered as a commercial one.

5. As such considering the huge quantity of contraband recovered from the said vehicle, in which both the petitioners were travelling, and according to the petitioner-Arshad, the luggage/contraband actually belonged to the other petitioner-Mohammad Imran, this Court finds no justification to release either of the petitioners on bail at this stage.

6. Dismissed.

21.12.2021
Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No