

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.24141 of 2020
Date of Decision: February 25, 2021

Manish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nitin Rampal, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.180 dated 06.06.2020, under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station, City Faridkot, District Faridkot. The petitioner is in custody since his arrest on 06.06.2020.

As per the FIR, on 06.06.2020 during checking at Bridge Sua, Sadak Road, Faridkot, the police party stopped three persons along with Activa and Jupiter scooters (without number plates). On enquiry, the persons disclosed their names as Deepak Kumar, Manjinder Singh and Manish Kumar. Upon search of Activa scooter, driven by Deepak Kumar with Manjinder Singh @ Manju as pillion rider, a polythene of green colour containing 1450 intoxicating tablets was found in the boot of the scooty.

Similarly, the search of other vehicle driven by Manish Kumar, was

conducted and a black colour polythene containing 2500 tablets of Clovidol-100 SR was recovered. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he is not involved in any other case. He has produced copies of the orders dated 29.10.2020 and 09.10.2020 to contend that similarly situated co-accused, namely, Manjinder Singh @ Maninder Singh @ Manu and Deepak Kumar have been extended the concession of regular bail by this court. He prays for bail.

On the other hand, learned State counsel on instructions from SI Bhupinder, has opposed the prayer on the ground that recovered contraband would fall within the ambit of commercial quantity, therefore, the petitioner does not deserve the concession of regular bail.

After hearing the learned counsel for the parties and considering the nature and quantity of contraband recovered from the petitioner, no case is made out for grant of regular bail to the petitioner at this stage. A perusal of the bail orders of co-accused makes it clear that co-accused Deepak Kumar was extended the concession of regular bail on medical grounds, whereas Manjinder Singh was released on bail as he was a pillion rider.

Resultantly, the petition is dismissed.

February 25, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No