

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

220

CRM-M-32579-2021 (O&M)

Date of decision: 19.08.2021

GURDASS

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mandeep S. Sodhi, Advocate for the petitioner.
Mr. Samarth Sagar, Addl. AG, Punjab.

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is the second petition for grant of bail, pending trial, in a criminal case arising from FIR No.2, dated 01.01.2020, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Dabwali, District Sirsa.

The previous petition was dismissed on 24.08.2021 with the following order:-

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.2, dated 01.01.2020, registered under Section 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Dabwali, District Sirsa.

As per the case of the prosecution, the petitioner was found in conscious possession of 1400 tablets Tredol containing Tramadol salt and 800 tablets Prozolam containing salt Alprazolam. As per the order passed by learned Additional Sessions Judge, the recovery from the petitioner falls in commercial category as notified by the Central Government under NDPS Act, 1985.

Learned senior counsel appearing for the petitioner has fairly stated that the petitioner is a previous convict. He has

been sentenced to undergo rigorous imprisonment for a period of 10 years, against which the appeal is pending.

Keeping in view the aforesaid fact and without commenting on the merits of the case, this court does not find good ground to grant bail to the petitioner, at this stage.

Hence, dismissed.

Learned counsel representing the petitioner admits that the petitioner is involved in three more criminal cases out of which two are under the NDPS Act, 1985. However, he contends that the petitioner was, no doubt, previously indulged in trading of the narcotic substances but now he has stopped the same.

In the considered view of this Court, mere statement of the accused is not sufficient to make out a case for grant of bail in view of the provision of Section 37 of the NDPS Act, 1985. Still further, the petitioner has failed to make out any new ground for grant of bail.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

19.08.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE