

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

**CRM-M-39370-2021
Date of decision: 26.10.2021**

AMRINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. S.P.S. Tinna, Addl. AG, Punjab. .

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated through email today and the same is taken on record.

This is the third petition under Section 439 Cr.P.C for grant of regular bail in the case bearing FIR No. 50 dated 01.07.2019, under Section 22/29 of NDPS Act, 1985 (for short the Act), registered at Police Station Mulepur, District Fatehgarh Sahib.

Briefly, as per the allegations of the prosecution on 01.07.2019, the petitioner along with the co-accused Princejeet Singh and Narinder Singh were travelling on a motorcycle and an envelope containing intoxicant injections was hanging from the handle of the motorcycle. Accordingly, the petitioner along with the co-accused were apprehended and the present case has been registered.

It has been contended by the learned counsel for the petitioner that the petitioner is in custody for the last about 02 years and no offence under Section 22 of the Act is made out.

It is significant to note that the bail application of similarly placed co-

accused, namely, Princejeet Singh has been dismissed by a speaking order passed on 03.09.2020 in **CRM-M-25590-2020**.

It has not been disputed by the learned counsel for the petitioner that Princejeet Singh, co-accused is still in custody and the aforesaid order has not been assailed further.

Even, in the instant case, the quantity of contraband recovered from the possession of the petitioner and the co-accused falls in the category of commercial quantity. As such, stringent provisions of Section 37 of the NDPS Act come into play. There is nothing to suggest that the petitioner has not committed offence and is not likely to commit the offence while on bail. No ground is made out to extend the concession of bail to the petitioner.

In view of the above terms, the present petition is dismissed.

26.10.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No