

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.37006 of 2020 (O&M)
Date of Decision:08.03.2021

HARPREET SINGH @ KAALU

...Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

This is the second petition filed under Section 439 of Cr.P.C.
for grant of regular bail in case FIR No.10 dated 22.01.2020 registered
under Sections 21, 29 of NDPS Act, 1985 at Police Station Sadar Patti,
District Tarn Taran.

Custody certificate by way of affidavit of Deputy
Superintendent(M), Central Prison Faridkot filed in the Court, is taken on
record.

Learned counsel for the petitioner states that the petitioner is
suffering from Hepatitis-C and was arrested on 22.01.2020. He further
states that the earlier petition filed by the petitioner was dismissed as
withdrawn as the FSL report at that time was awaited. He further states that
the alleged recovery effected from the petitioner was 300 grams of heroin

which was allegedly thrown and from the co-accused namely, Gupreet Singh, 80 grams of heroin was recovered.

Learned State counsel while opposing the prayer for bail states that the petitioner is involved in three other cases under NDPS Act, out of which, in one case, he was convicted.

I have heard learned counsel for the parties.

In the present case the petitioner was found in conscious possession of 300 grams of heroin and he is also involved in other cases under the NDPS Act. Thus, keeping in view the criminal antecedents of the petitioner and the bar contained in Section 37 of NDPS Act, the petitioner is not entitled to the concession of bail.

No case for grant of regular bail to the petitioner is made out.

Dismissed.

(HARNARESH SINGH GILL)

JUDGE

March 08, 2021

Whether speaking/reasoned Yes/No Whether Reportable Yes/No