

**H COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH  
(through video conferencing)**

CRM-M-41092-2020  
Decided on : 08.01.2021

Amarjit Lal @ Bawa

## Versus

State of Punjab

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Arnav Sood, Advocate  
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

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***Manjari Nehru Kaul, J.***

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.64 dated 27.09.2018 registered under Sections 20 and 29 of NDPS, 1985 at Police Station Behram District Shaheed Bhagat Singh Nagar.

Earlier petition filed under Section 439 Cr.PC for grant of regular bail was dismissed as withdrawn on 15.07.2020. Learned counsel for the petitioner has failed to satisfy this Court about any substantial change in the circumstances subsequent to the withdrawal of the earlier bail application. No doubt, learned counsel for the petitioner has invited the attention of this Court to order dated 05.10.2020 (Annexure P-4) vide which this Court has extended the concession of regular bail to the co-accused Baljit Pal @ Sonu, however, the case of the petitioner is clearly distinguishable from that of the co-accused inasmuch as co-accused Baljit Pal @ Sonu, who has been extended the concession of regular bail, was just a taxi driver, whose taxi had been hired by the present petitioner. Still

further, the recovery of the alleged contraband of 4 kg 250 gms. of charas, which admittedly is a huge recovery and falls within commercial quantity, was allegedly recovered from a bag, which was lying between the legs of the petitioner.

Per contra, learned State counsel while opposing the prayer and submissions of learned counsel for the petitioner on instructions from SI Lalnand has submitted that 8 out of 13 prosecution witnesses cited by the prosecution have been examined and the remaining are likely to be examined on the next date of hearing i.e. 24.01.2021.

Heard.

In the circumstances, no ground is made out to extend the concession of regular bail to the petitioner. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

08.01.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No